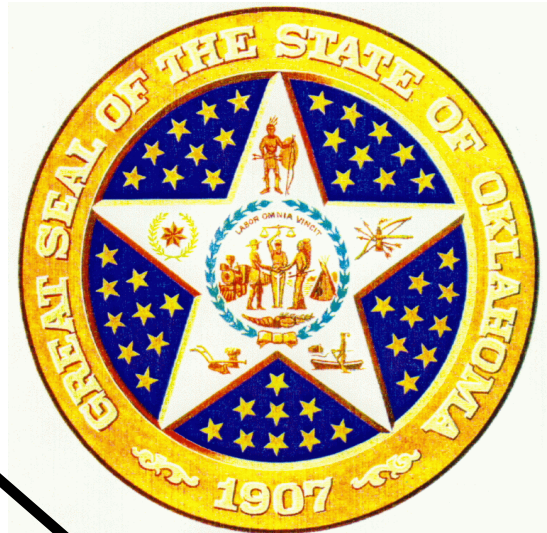


State of Oklahoma



**ANNUAL REPORT**

**2010**

**Workers'  
Compensation  
Court**

June 2011

This publication is issued by the Oklahoma Workers' Compensation Court. Copies have not been printed but are available through the Court's website at: [http://www.owcc.state.ok.us/annual\\_reports.htm](http://www.owcc.state.ok.us/annual_reports.htm).

This report is authorized by requirements of 85 O.S. §85 and is compliant with Oklahoma Statutes.

Michael J. Harkey  
*Presiding Judge*

\*Eric W. Quandt  
*Vice Presiding Judge*

Gene Prigmore  
*Judge*

Cherri Farrar  
*Judge*

John M. McCormick  
*Judge*



STATE OF OKLAHOMA

**WORKERS' COMPENSATION COURT**

1915 NORTH STILES AVENUE  
OKLAHOMA CITY, OK 73105-4918  
(405) 522-8600

C. Kent Eldridge  
*Judge*

Bob Lake Grove  
*Judge*

William R. Foster, Jr.  
*Judge*

\*Eric W. Quandt  
*Judge*

\*Owen T. Evans  
*Judge*

Michael Clingman  
*Administrator*

June 30, 2011

Honorable Mary Fallin  
Governor of Oklahoma

Honorable Steven W. Taylor  
Chief Justice of the Oklahoma Supreme Court

Honorable Brian Bingman  
President Pro Tempore of the Oklahoma State Senate

Honorable Kris Steele  
Speaker of the Oklahoma House of Representatives

Members of the 53<sup>rd</sup> Oklahoma Legislature

Dear Governor Fallin, Chief Justice Taylor, President Pro Tempore Bingman, Speaker Steele and Legislators:

I have the privilege of submitting to you the 2010 Annual Report of the Oklahoma Workers' Compensation Court, prepared in accordance with the provisions and requirements of Title 85 O.S., Section 85. The Court is relying on its Internet website and e-mail capabilities to disseminate this report in a cost-effective manner. Print copies of the Annual Report have been deposited with the Oklahoma Publications Clearinghouse.

Respectfully,

A handwritten signature in cursive script, appearing to read "Michael Clingman".

Michael Clingman  
Court Administrator



STATE OF OKLAHOMA  
Workers' Compensation Court

**ANNUAL REPORT**  
**2010**

Kent Eldridge  
PRESIDING JUDGE

Michael J. Harkey  
VICE PRESIDING JUDGE

Gene Prigmore  
JUDGE

Bob Lake Grove  
JUDGE

Tom Leonard  
JUDGE  
Term ended September 10, 2010

William R. Foster, Jr.  
JUDGE

Cherri Farrar  
JUDGE

Eric W. Quandt  
JUDGE

Mary A. Black  
JUDGE  
Term ended September 10, 2010

Owen T. Evans  
JUDGE  
Term began September 15, 2010

John Michael McCormick  
JUDGE

David P. Reid  
JUDGE  
Term began September 15, 2010

Marcia Davis  
ADMINISTRATOR  
Retired eff. June 30, 2010

June 30, 2011





## **The Workers' Compensation Court of Oklahoma**

**2010**

*(back row)*

**The Honorable Owen T. Evans      The Honorable Bob Lake Grove      The Honorable C. Kent Eldridge  
Presiding Judge      The Honorable Cherri Farrar      The Honorable David P. Reid      The Honorable William R. Foster, Jr.**

*(front row)*

**The Honorable Gene Prigmore      The Honorable Eric W. Quandt      The Honorable Michael J. Harkey  
Vice Presiding Judge      The Honorable John M. McCormick**





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# Introduction

This report is prepared annually by the Oklahoma Workers' Compensation Court in accordance with the provisions and requirements of Title 85 O.S., Section 85. It provides injury statistics and benefit payment, workload and expenditure data.

The information in this report on injuries, illnesses and deaths is derived from documents filed in 2010 by the employer, worker or the dependents of a deceased worker. Injury characteristics are from the first report of injury filed by the employer or claimant, and are not necessarily based on a medical diagnosis. The employer's first report of injury is used when the matter before the Court is a compromise settlement (Form 1X) or provider's claim for compensation (2/19 claim), and there is no first report of injury filed by the worker or the dependents of a deceased worker.

Information about the development and use of the North American Classification System (NAICS) can be found at the web site of the US Census Bureau, <http://www.census.gov/epcd/www/naics.html>.



# **General Information**

## **History**

The Oklahoma Legislature enacted the state's first law governing workers' compensation more than nine decades ago in 1915. The law provides a substitute remedy to an employee for accidental injuries received during covered employment without the burden of proving negligence. The law is intended to provide injured workers with compensation for disability and health and rehabilitation benefits as a result of a work-related injury, regardless of who was at fault. In exchange for liability without fault, employers are provided with exclusive remedy protection. Exclusive remedy protects employers from liability to injured workers under laws other than the Workers' Compensation Act, Title 85, Oklahoma Statutes. The law applies to almost all types of employment and to both accidental injury and occupational illness.

Until 1959, the responsibility for administering the workers' compensation law resided with the State Industrial Commission. In 1959, the Oklahoma Legislature created and transferred jurisdiction over workers' compensation to the State Industrial Court. In 1978, the five-judge State Industrial Court was replaced by a seven-judge Workers' Compensation Court. The composition of the Court was expanded to eight judges in 1981, to nine in 1985 and to ten in 1994. In 2010, legislation was enacted providing for a reduction in the number of judges to eight by attrition resulting from the first two judicial vacancies occurring on or after November 1, 2010. Like its 1959 predecessor, the Court is a court of record responsible for determining claims for compensation, the liability of employers and insurers, and any rights asserted under the workers' compensation laws.

## **Mission**

The mission of the Workers' Compensation Court is to provide fair and timely procedures for the informal and formal resolution of disputes and identification of issues involving work-related injuries. To this end the Court dedicates itself to carry out this responsibility and to serve the public promptly, courteously and impartially.

## **Organization**

The Court is composed of ten judges who are appointed by the Governor from a list of nominees submitted by a constitutionally created Judicial Nominating Commission. The list includes the names of three persons, in addition to that of the incumbent judge, if any. Judges serve staggered six-year terms. The composition of the Court, appointment process and judicial terms were affected by legislation enacted in 2010.

Every two years one of the judges is selected by the Governor as the presiding judge. The presiding judge is charged with overall responsibility for the functioning of the Court. All judges rotate between the Oklahoma City and Tulsa Court locations for dockets and may hear cases in other locations as provided by law. Awards of the Court are final and conclusive

unless appealed to a panel of three Workers' Compensation Court judges unrelated to the case, or directly to the Supreme Court. An order of the three-judge panel may be appealed to the Supreme Court.

The chief administrative officer for the Court is an Administrator who, until 2005, was appointed by the presiding judge from a list submitted by a five-member selection committee. Thereafter, a vacancy in the position is filled by appointment of the Governor for a six-year term. The Administrator supervises all offices and departments of the Court and staff, including administrative staff and support personnel. Specific functions of offices and departments of the Court are identified below.

The ***Counselor Department*** is the Court's primary public information unit. It supports a toll-free information line, prepares court publications, develops educational workshops, helps maintain the Court's web site, and processes applications to serve as a mediator for the Court's mediation system.

The ***Insurance Department*** maintains a workers' compensation proof of insurance database for the state, and with the Administrator's supervision, regulates employers which self-insure either as an individual self-insurer or as part of an approved group association. This department also regulates third party administrators. Self-insurance activities include reviewing applications for self-insurance and monitoring the financial status and claims records of self-insured employers.

The ***Office of the Court Clerk*** receives court filings, certifies documents, prepares and transmits records on appeal, accepts appeal bonds, serves as the Court's records custodian, and manages the Court's records retention schedule.

The ***Form 3 Processing Department*** processes claims for compensation and orders entered into by mutual agreement of the parties. Work includes creating court files, data entry, and mailing information to the parties.

The ***Docket Office*** docket cases, schedules hearings and motions, notifies parties of hearing dates, and manages specialized dockets designed to resolve certain disputes without the need for trial.

The ***Order Processing Department*** prepares orders at the direction of the judges and processes them for mailing to the parties.

The ***Records Department*** maintains court files, processes the mail, and responds to requests for records and information.

The ***Data Processing/Management Information Services Department*** develops and maintains the Court's client/server system, develops computer programs and applications, coordinates information technology activities with vendors and other state agencies, and assists other court departments in meeting their goals through the use of technology.

In addition to departmental employees, the Court employs staff attorneys, court reporters,

administrative personnel and support staff. Staff attorneys assist the judges, monitor legislation for potential impact on the workers' compensation system, provide support services to various workers' compensation advisory bodies, and handle claims of employees of bankrupt self-insured employers. Court reporters record and transcribe proceedings as necessary. Administrative staff are responsible for the business, financial and personnel functions of the Court. Support staff include receptionists and judicial secretaries who provide clerical assistance to the judges and other court employees.

In 2010, judicial secretaries and support staff processed 152 physician applications for participation in the independent medical examiner system, processed 34 applications for participation in the case manager system, and prepared a total of 1,825 orders appointing independent medical examiners, medical case managers, and vocational rehabilitation experts as directed by the Court.

## **Activities in 2010**

The Court instituted new process and procedures during late 2009 and 2010. It began issuing batch docket notices via e-mail in December, 2009. Individual docket notices via e-mail followed in June, 2010. Also in June, the Court began issue court fee notices via e-mail. During 2010, the Legislature passed a requirement that the Court issue notices to workers reported as injured. The Court began issuing these notices in November, 2010.

### ***Educational Conference***

The Court, in cooperation with the Workers' Compensation Section of the Oklahoma Bar Association, conducts a biennial Workers' Compensation Educational Conference. The program highlights legislative and case law developments and workers' compensation trends. Representatives of the medical, legal, insurance, government, business and labor sectors attend the conference.

### ***Insurance***

Workers' compensation insurance is mandatory in Oklahoma except as otherwise provided by law. The Court maintains a Workers' Compensation Insurance Coverage Verification System on its website to allow the public verify insurance coverage information on employers that have purchased a workers' compensation insurance policy. This information comes from policy information reported to the National Conference on Compensation Insurance (NCCI). Searches may be conducted by going to [http://www.owcc.state.ok.us/ncci\\_coverage.htm](http://www.owcc.state.ok.us/ncci_coverage.htm). During calendar year 2010, 10,264 persons connected to the link and performed 43,452 coverage searches.

### ***Medical***

The Physician Advisory Committee is an advisory body to the Workers' Compensation Court.

The Committee recommends guidelines for treatment. The Court Administrator considers and approves guidelines as provided by law. The objective of the treatment guidelines is to provide standards for prompt, reasonable and appropriate treatment for workplace injuries and to expedite optimum recovery and return to work, while containing medical costs in the workers' compensation system. The guidelines are available on the Court's website at <http://www.owcc.state.ok.us/guidelines.htm>.

A new workers' compensation medical and hospital fee schedule was adopted by the Court Administrator in December 2009 and became effective January 1, 2010. The schedule sets maximum dollar limits in amounts that health care providers can be reimbursed for specified services. It is designed to establish a reasonable and equitable value for a service and limit reimbursement to that level to prevent inflated pricing for treatment of injured workers.

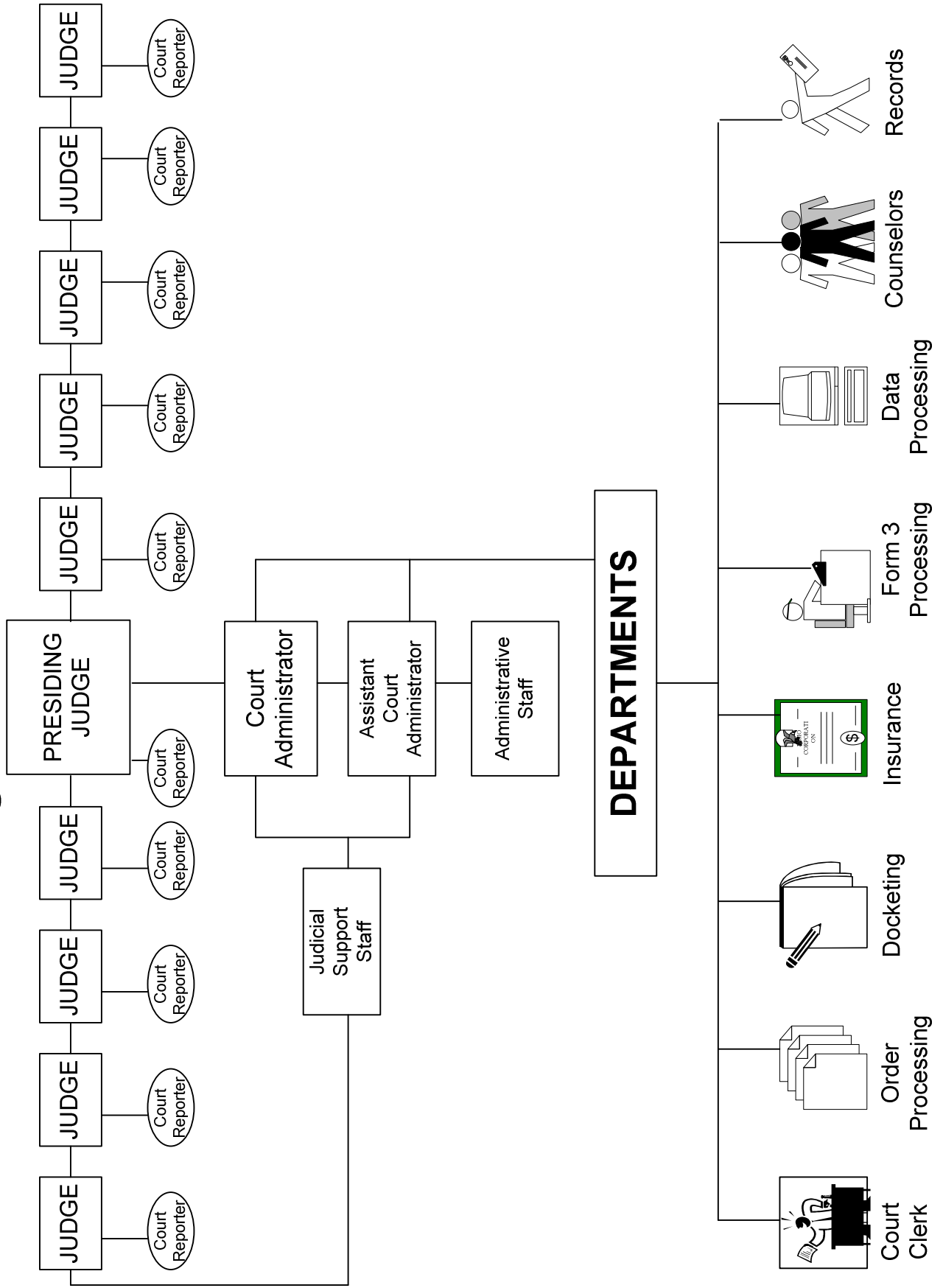
### ***Multiple Injury Trust Fund Assessment***

85 O.S., Section 173, requires the state Insurance Commissioner, Board of Managers of CompSource Oklahoma, self-insured employers and self-insured employer groups to submit data to the Court Administrator annually by April 15. The Administrator uses the data to determine an annual assessment rate for payment to the Multiple Injury Trust Fund and other state entities as the section requires. For the year beginning July 1, 2010, through June 30, 2011, the rate remained at the same level as the previous year at 2.59% of gross direct written premium or actual paid losses. The Court provided notice of the rate to payors in advance of the May 1 deadline as the section requires.

In addition to the specific activities listed above for calendar year 2010, the Court continues to perform other duties on a regular basis as noted above in the "Organization" section. The activities of the Court in CY 2010 are described in greater detail in the following pages of this Annual Report, together with basic statistics regarding filings made in CY 2010.



# Workers' Compensation Court (2010) Organizational Chart



# Profiles of the Judges

Judges serving on the Court in 2010 were: The Honorable Kent Eldridge, The Honorable Michael J. Harkey, The Honorable Gene Prigmore, The Honorable Tom Leonard, The Honorable Cherri Farrar, The Honorable Mary A. Black, The Honorable John Michael McCormick, The Honorable Bob Lake Grove, The Honorable William R. Foster, Jr., The Honorable Eric W. Quandt, The Honorable Owen T. Evans and The Honorable David P. Reid.

Each Judge hears matters involving workers' compensation disputes, records case dispositions and issues final orders based upon the evidence presented. Judges also approve settlements negotiated between the parties; conduct prehearing conferences and judicial settlement conferences; appoint Independent Medical Examiners (IMEs), medical case managers, vocational rehabilitation evaluators and mediators; oversee the IME, case manager, and court mediation systems; review medical progress reports; participate weekly on three-judge appeal panels; and participate in educational seminars, including periodic conferences sponsored by the Court.

During 2010, 27,426 cases were scheduled for trial, and 43,446 prehearing conferences were docketed. In addition, 2,689 cases involving medical treatment and/or temporary disability were set on temporary issue dockets to promote informal resolution before trial or determine the status of the case for scheduling purposes. During this period, 1,299 cases were set before the court en banc. Judges issued 28,295 orders and approved 8,982 settlements.

## Judges

### ***The Honorable Kent Eldridge***

Judge Eldridge earned his B.A. in Political Science from the University of Oklahoma. Following graduation from the University of Oklahoma School of Law (1976) he served as a Public Defender. He then became a solo practitioner in 1981 and maintained a trial practice of criminal and civil litigation in state and Federal courts and administrative tribunals, including many jury and non-jury trials.

Professional affiliations include the Oklahoma Bar Association, Oklahoma County Bar Association, and Ruth Bader Ginsburg Inn of Court (Master). Judge Eldridge has spoken at many law seminars, and while in private practice served as an expert witness on numerous occasions.

Judge Eldridge is an active member of St. Paul's Episcopal Cathedral and is serving on the Vestry. He also serves on the Board of the Oakerhater Episcopal Center home to the Whirlwind Mission in Watonga, Oklahoma. Judge Eldridge served as an Assistant Scoutmaster, Westminster Presbyterian Church Troop 4, Oklahoma City, 1996-2005. His marriage to Lea Crawford Eldridge and his children Julie, Jim and Jackson are his greatest accomplishments.

Governor Brad Henry appointed Judge Eldridge to the Workers' Compensation Court in July 2006. In May 2009, Governor Brad Henry appointed Judge Eldridge as Presiding Judge of the Workers' Compensation Court, effective May 22, 2009.

### ***The Honorable Michael J. Harkey***

Judge Harkey graduated from The University of Oklahoma in 1973 and received his Juris Doctorate from the Oklahoma City University School of Law in 1976.

He is a member of the Oklahoma State and County Bar Associations. Prior to his appointment to the Workers' Compensation Court, Judge Harkey was in the private practice of law. In January 2011, Governor Brad Henry appointed Judge Harkey as Presiding Judge of the Workers' Compensation Court.

### ***The Honorable Gene Prigmore***

Judge Prigmore was born in Freedom, Oklahoma, attended public school in Alva, and in 1966, graduated with a Bachelor of Arts degree from Northwestern State College in Alva. Judge Prigmore then served two years in the U.S. Army, 24th Infantry Division, 1966-68. After completing his military service he spent the next ten years teaching, counseling and coaching in various Kansas and Oklahoma public school systems including Head Football and Track Coach at Capitol Hill High School. He earned a Masters Degree in Counseling from Central State University in 1973. In 1978 he began his legal education and received his Juris Doctorate from the University of Oklahoma College of Law in 1980.

Judge Prigmore served on the Oklahoma City Board of Education from 1986 to 1989. He served as an Adjunct Professor in the Paralegal Program at Rose State College in 1989 - 1990. Judge Prigmore has been a member of the Oklahoma Bar Association since 1980 and the Oklahoma County Bar Association since 2001.

Judge Prigmore was in private practice with an emphasis in sports and workers' compensation law until 1992, when he became General Counsel for the Oklahoma Special Indemnity Fund (now known as the Multiple Injury Trust Fund).

In November 1998, Judge Prigmore was appointed to the Oklahoma Workers' Compensation Court by Governor Frank Keating to complete an unexpired term. In July 2000, he was reappointed by Governor Frank Keating for a six-year term. In December 2004, Governor Brad Henry appointed Judge Prigmore for a two-year term as Presiding Judge of the Workers' Compensation Court, effective January 1, 2005. In July 2006, Judge Prigmore was appointed by Governor Brad Henry for an additional six-year term.

### ***The Honorable Cherri Farrar***

Cherri Farrar was originally appointed as a judge of the Workers' Compensation Court by the Honorable Frank Keating in June 2000. In July 2006, Judge Farrar was reappointed for another six-year term. Prior to her appointment to the Court, Judge Farrar was in private practice.

Judge Farrar received her Juris Doctorate from the University of Oklahoma, College of Law in 1986. She is the recipient of certifications from the National Institute of Trial Advocacy and the National Association of Criminal Defense Lawyers for studies in advanced trial techniques. She received a Bachelor of Arts degree in Political Science from Central State University in 1982.

Judge Farrar is a Master of the Bench of the William J. Holloway, Jr., American Inn of Court (currently inactive), and is a member of the Oklahoma Bar Association and Oklahoma County Bar Association.

### ***The Honorable Tom Leonard***

Judge Leonard received a Bachelor of Science degree in mathematics and computer science from Oklahoma State University in 1970. He received his Juris Doctorate from the University of Oklahoma in 1972.

He served six years as mayor of Ponca City, Oklahoma. In 2001 he was selected as the Mayor of the Year by the Oklahoma Municipal League. Prior to his appointment by Governor Brad Henry to the Workers' Compensation Court, Judge Leonard was in private practice.

Judge Leonard is the site administrator of a collection of statutes, cases and materials entitled, *Oklahoma Workers' Compensation*, [www.workerscompensationok.com](http://www.workerscompensationok.com). It is a useful resource for attorneys, adjusters and medical providers.

He also authors a weblog of current issues, cases and his observations on workers' compensation, *Judge Tom Talks*, [www.judgetom.blogspot.com](http://www.judgetom.blogspot.com).

### ***The Honorable Mary A. Black***

Judge Black received a Bachelor of Science from the University of Oklahoma in 1977. She received her Juris Doctorate from Oklahoma City University in 1981. Judge Black has attended the National Judicial College, and attended Harvard University.

She is a member of the Oklahoma Bar Association, Oklahoma Indian Bar Association, Pottawatomie County Bar Association and Lawyer-Pilot Bar Association. She served two terms on the Board of Trustees for the Oklahoma Bar Association, and as a board member for Legal Aid of Western Oklahoma. Additionally, she has served as chair of the OBA Indian Law Section. In conjunction with Virginia Henson, Judge Black wrote the *Deprived Juvenile Law Benchbook*.

Immediately prior to her appointment to the Workers' Compensation Court, Judge Black was the Special District Judge for the 23<sup>rd</sup> Judicial District sitting in Pottawatomie County. Prior to her position as a Special District Judge she served on the Workers' Compensation Court from 1994-1996, and was in private practice in Shawnee, Oklahoma during the intervening years between judicial appointments. She has served as a tribal judge for many tribes, including the Absentee Shawnee Tribe and Sac & Fox Nation.

In July 2004, Judge Black was appointed by Governor Brad Henry to serve a six-year term on the Workers' Compensation Court. In February 2007, Governor Brad Henry appointed Judge Black for a two-year term as Presiding Judge of the Workers' Compensation Court, effective February 5, 2007. She served as Presiding Judge through May 21, 2009.

### ***The Honorable John Michael McCormick***

John McCormick was born in Oklahoma City in 1947. He attended old Central High School in downtown Oklahoma City and graduated in 1966. Judge McCormick served 3 years active military duty in the U. S. Army from February 1967 to February 1970; he served one tour of duty in Vietnam from August 1967 to September 1968, and was later a member of the U.S. Army Judge Advocate General Corps. Judge McCormick received his Bachelor of Arts from the University of Oklahoma in 1974, and his Juris Doctorate from Oklahoma City University Law School in 1978.

Judge McCormick served the State of Oklahoma as an Assistant Attorney General under Attorney General W.A. Drew Edmondson from 1997 until his appointment to the bench in 2006. His prior law practice includes service as Deputy General Counsel of the Oklahoma City Public Schools, and Deputy General Counsel for the Department of Human Services.

Judge McCormick also has public service as an elected official. In 1985 he was elected to a four-year term to the Metro Tech School Board, Vocational District 22, Seat 2. Before joining the Workers' Compensation Court, Judge McCormick served as adjunct professor for 18 years at Rose State College and Oklahoma City Community College.

### ***The Honorable Bob Lake Grove***

Born in Poteau, Oklahoma in the far eastern segment of our state, Bob Lake Grove was raised and educated 9 miles therefrom in Panama, Oklahoma. His father, Lake Grove, was a businessman and his mother, Helen, a classroom teacher for over 40 years.

After graduation from high school, he attended the University of Oklahoma, graduating with a BA, and the University of Oklahoma School of Law, graduating with a JD. He was active in student government and served both in the Student Senate and as Chairman of the University Judicial Board.

In his first position as an attorney, he handled almost exclusively workers' compensation litigation. Following, he served as Assistant District Attorney of Oklahoma County for nearly five years as a felony trial prosecutor. During this time he also instructed at the Oklahoma City Police Academy and acted as a spokesman for the District Attorney for the release of prosecution information.

Following his tenure as a prosecutor, he was engaged exclusively in litigation in the fields of criminal defense, matrimonial law, child custody, business litigation, probate contests and workers' compensation. His representation included appearances and trials in federal, state and municipal courts throughout the state as well as arguments before the Supreme Court and Court of Criminal Appeals in Oklahoma. In addition, he has spoken at many law seminars and for various civic groups, and while in private practice, made public appearances and participated in television productions and radio shows.

In 2007, he accepted a position of trial counsel for CompSource Oklahoma. Thereafter, Governor Brad Henry appointed him to a six-year term to the Worker's Compensation Court commencing in 2008.

### ***The Honorable William R. Foster, Jr.***

Judge Foster graduated from Arkansas State University in 1989 with a Bachelor of Arts in Political Science. In 1992, Judge Foster received his Juris Doctorate from the University of Arkansas. Upon graduation from law school Judge Foster entered private practice in Nashville, Tennessee with the law office of Lionel R. Barrett.

Judge Foster is currently admitted to practice law in Oklahoma, Tennessee and Pennsylvania (currently inactive). From 1993 to 1999 he worked as an attorney for the Oklahoma Indigent Defense System. Following this, and prior to his appointment as a judge to the Workers' Compensation Court, Judge Foster clerked part time for the Honorable Charles S. Chapel, from April, 1999 to August, 2008, former judge of the Oklahoma Court of Criminal Appeals.

### ***The Honorable Judge Eric W. Quandt***

Judge Quandt received his Bachelor of Arts degree from the University of Wisconsin, Madison in 1985. In 1988 he received his Juris Doctorate from the University of Tulsa College of Law.

He is a member of the Oklahoma Bar Association and the Tulsa County Bar Association. Prior to his appointment to the Court, he was in private practice for 20 years, 17 years as a sole practitioner.

In July 2008, Judge Quandt was appointed to the Workers' Compensation Court by Governor Brad Henry.

### ***The Honorable David P. Reid***

Judge Reid is originally from Tulsa, Oklahoma, and attended high school in Broken Arrow, Oklahoma. He obtained a Bachelor of Arts degree in Business Administration from Dallas Baptist University in 1976, where he majored in accounting. Judge Reid received his Juris Doctorate from the University of Oklahoma, College of Law in 1979, and served on the Law Review and was selected for the *Order of the Coif*.

Judge Reid was a Judicial Legal Intern for the Oklahoma Supreme Court while in law school and subsequently served as a law clerk for the United States Bankruptcy Court, Eastern District of Oklahoma. In addition he also served as a Workers' Compensation Court certified mediator. Judge Reid was in the private practice of law for 30 years in Tulsa and Okmulgee, Oklahoma. During the first 13 years of practice he represented both individuals and employers. During the remaining 17 years, his representation before the Workers' Compensation Court was focused primarily on the representation of employers.

Judge Reid has been admitted to practice before the United States Court of Appeals, Tenth Circuit Court in Denver, Colorado, as well as the United States District Courts for the Northern and Eastern Districts of Oklahoma.

Judge Reid resides in Tulsa, Oklahoma, where his wife Charlene teaches school and his son Brett attends college. He was appointed by Governor Brad Henry to the Workers' Compensation Court on September 10, 2010, having been sworn into office on September 15, 2010.

### ***The Honorable Owen T. Evans***

Owen T. Evans was born in DuBuque, Iowa, in 1957. Judge Evans was raised in Bradford, Pennsylvania, and in 1979 received a Bachelor of Science degree from Syracuse University.

Judge Evans and his wife Lori moved to Tulsa, Oklahoma in 1982. He received his Juris Doctorate from the University of Tulsa, College of Law in 1985.

Judge Evans practiced Workers' Compensation defense law for twenty years before being appointed to the bench by Governor Brad Henry in September, 2010.

Judge Evans and Lori are members and Elders of John Knox Presbyterian Church in Tulsa, Oklahoma. They have two adult children, Bryn Robert of Fort Collins, Colorado, and Megan Kathryn of Tulsa, Oklahoma.





## **Section I - Overview**



**Table 1**  
**Rate of Claims Filed Per 100 Employed: 1989 - 2010**

Year	Employer's First Notice of Injury (Form 2) Filings <sup>1</sup>	Claimant Filings <sup>2</sup>	State Employment Levels <sup>3</sup>	Rate of Claims Filed Per 100 Workers <sup>4</sup>
1989	97,912	20,311	1,163,800	1.75
1990	122,988	23,530	1,195,922	1.97
1991	94,195	24,654	1,211,000	2.04
1992	84,259	24,748	1,221,700	2.03
1993	84,757	25,863	1,199,600	2.15
1994	92,594	27,959	1,234,400	2.26
1995	100,363	25,817	1,272,500	2.03
1996	92,937	24,167	1,309,700	1.84
1997	88,892	21,959	1,347,800	1.63
1998	84,756	20,832	1,396,300	1.49
1999	83,289	19,999	1,416,500	1.41
2000	82,920	19,086	1,437,000	1.33
2001	75,462	19,553	1,463,200	1.34
2002	67,190	18,474	1,434,905	1.28
2003	61,452	17,390	1,405,900	1.24
2004	58,065	16,933	1,424,300	1.19
2005	55,844	15,670	1,464,500	1.07
2006	54,237	14,853	1,507,100	0.99
2007	51,197	14,888	1,521,100	0.97
2008	52,477	15,364	1,550,300	0.99
2009	51,715	15,764	1,492,100	1.06
2010	50,054	14,779	1,475,700	1.00

<sup>1</sup> Reflects the number of Form 2 (Employer's First Notice of Injury) filings made by an employer when there is a work-related injury which results in the loss of time beyond the shift or which requires medical attention away from the work site, fatal or otherwise, received by the employer's employees. Form 2s filed with the Court are confidential and not subject to public disclosure except as authorized by law.

<sup>2</sup> Beginning in 2005, reflects claims for compensation filed by a worker (Form 3, 3A, 3B). Death filings are included in the count. Prior to 2005, claimant filings also included claims for compensation filed by a medical or rehabilitation provider (2/19 claims) when there is a notice of injury filed by the employer (Form 2) but no claim for compensation filed by the worker (Form 3, 3A, 3B). Separate counting of 2/19 claims began in 1990. 2/19 claims data for 1990 through 2009 follows: 1990=1; 1991=2; 1992=1; 1993=12; 1994=22; 1995=45; 1996=96; 1997=51; 1998=27; 1999=38; 2000=33; 2001=88; 2002=151; 2003=172; 2004=196; 2005=61; 2006=58; 2007=79; 2008=56 and 2009=73.

<sup>3</sup> State Employment Data is provided by the Oklahoma Employment Security Commission, Labor Market Information Unit, reporting Statewide Non-farm Payroll. Federal Government employees have been excluded since 1993.

<sup>4</sup> Represents the number of injuries and illnesses per 100 workers, calculated as (C/EL x 100) where C = number of injuries and illnesses reflected by claimant filings and EL = state employment level.

**Table 2**  
**Filings Compared to Employment by County of Injury**  
**2010**

County	Average Annual Employment <sup>1</sup>	Percent of Employment	All Filings		Percent of Employment Making Filing <sup>3</sup>	Number of Death Filings <sup>4</sup>
			Count <sup>2</sup>	Percent		
Adair	10,272	0.62%	30	0.20%	0.29%	0
Alfalfa	2,355	0.14%	12	0.08%	0.51%	0
Atoka	5,786	0.35%	35	0.24%	0.60%	1
Beaver	3,165	0.19%	21	0.14%	0.66%	1
Beckham	11,186	0.68%	74	0.50%	0.66%	3
Blaine	4,613	0.28%	33	0.22%	0.72%	1
Bryan	19,624	1.19%	116	0.78%	0.59%	0
Caddo	12,107	0.74%	72	0.49%	0.59%	0
Canadian	49,749	3.02%	196	1.33%	0.39%	5
Carter	25,577	1.55%	372	2.52%	1.45%	0
Cherokee	24,106	1.47%	71	0.48%	0.29%	0
Choctaw	6,859	0.42%	28	0.19%	0.41%	0
Cimarron	1,221	0.07%	5	0.03%	0.41%	0
Cleveland	113,763	6.92%	537	3.63%	0.47%	1
Coal	2,423	0.15%	15	0.10%	0.62%	0
Comanche	45,911	2.79%	464	3.14%	1.01%	3
Cotton	3,491	0.21%	23	0.16%	0.66%	0
Craig	7,124	0.43%	69	0.47%	0.97%	0
Creek	28,575	1.74%	133	0.90%	0.47%	3
Custer	14,661	0.89%	114	0.77%	0.78%	0
Delaware	18,421	1.12%	78	0.53%	0.42%	0
Dewey	2,619	0.16%	24	0.16%	0.92%	0
Ellis	2,289	1.14%	10	0.07%	0.44%	0
Garfield	30,793	1.87%	259	1.75%	0.84%	1
Garvin	14,020	0.85%	138	0.93%	0.98%	1
Grady	21,699	1.32%	132	0.89%	0.61%	2
Grant	2,562	0.16%	13	0.09%	0.51%	0

**Table 2 (continued)**

County	Average Annual Employment <sup>1</sup>	Percent of Employment	All Filings		Percent of Employment Making Filing <sup>3</sup>	Number of Death Filings <sup>4</sup>
			Count <sup>2</sup>	Percent		
Greer	1,894	0.12%	13	0.09%	0.69%	0
Harmon	1,290	0.08%	3	0.02%	0.23%	0
Harper	1,938	0.12%	13	0.09%	0.67%	0
Haskell	5,717	0.35%	25	0.17%	0.44%	0
Hughes	5,281	0.32%	36	0.24%	0.68%	0
Jackson	11,681	0.71%	64	0.43%	0.55%	1
Jefferson	2,286	0.14%	12	0.08%	0.52%	0
Johnston	4,718	0.29%	30	0.20%	0.64%	0
Kay	21,363	1.30%	255	1.73%	1.19%	2
Kingfisher	7,288	0.44%	54	0.37%	0.74%	1
Kiowa	3,856	0.23%	23	0.16%	0.60%	2
Latimer	3,894	0.24%	41	0.28%	1.05%	1
LeFlore	18,629	1.13%	77	0.52%	0.41%	1
Lincoln	13,105	0.80%	72	0.49%	0.55%	0
Logan	16,905	1.03%	72	0.49%	0.43%	2
Love	5,087	0.31%	24	0.16%	0.47%	0
McClain	14,245	0.87%	85	0.58%	0.60%	0
McCurtain	13,450	0.82%	245	1.66%	1.82%	1
McIntosh	8,195	0.50%	37	0.25%	0.45%	2
Major	4,087	0.25%	24	0.16%	0.59%	2
Marshall	5,975	0.36%	37	0.25%	0.62%	0
Mayes	16,865	1.03%	141	0.95%	0.84%	0
Murray	8,827	0.54%	68	0.46%	0.77%	0
Muskogee	28,848	1.75%	254	1.72%	0.88%	2
Noble	5,354	0.33%	60	0.41%	1.12%	1
Nowata	4,676	0.28%	18	0.12%	0.38%	0
Okfuskee	4,365	0.27%	20	0.14%	0.46%	0
Oklahoma	307,493	18.69%	3,358	22.72%	1.09%	15
Okmulgee	14,447	0.88%	125	0.85%	0.87%	4

**Table 2 (continued)**

County	Average Annual Employment <sup>1</sup>	Percent of Employment	All Filings		Percent of Employment Making Filing <sup>3</sup>	Number of Death Filings <sup>4</sup>
			Count <sup>2</sup>	Percent		
Osage	18,389	1.12%	73	0.49%	0.40%	1
Ottawa	17,650	1.07%	87	0.59%	0.49%	1
Pawnee	6,663	0.41%	30	0.20%	0.45%	0
Payne	32,737	1.99%	272	1.84%	0.83%	0
Pittsburg	22,303	1.36%	166	1.12%	0.74%	1
Pontotoc	19,489	1.18%	136	0.92%	0.70%	1
Pottawatomie	31,936	1.94%	226	1.53%	0.71%	0
Pushmataha	5,035	0.31%	29	0.20%	0.58%	1
Roger Mills	1,817	0.11%	15	0.10%	0.83%	0
Rogers	37,153	2.26%	208	1.41%	0.56%	3
Seminole	10,246	0.62%	92	0.62%	0.90%	1
Sequoyah	15,700	0.95%	61	0.41%	0.39%	1
Stephens	20,309	1.23%	156	1.06%	0.77%	1
Texas	6,633	0.40%	99	0.67%	1.49%	2
Tillman	3,251	0.20%	34	0.23%	1.05%	0
Tulsa	270,941	16.47%	3,259	22.05%	1.20%	16
Wagoner	30,693	1.87%	80	0.54%	0.26%	0
Washington	26,386	1.60%	137	0.93%	0.52%	1
Washita	5,875	0.36%	32	0.22%	0.54%	0
Woods	4,344	0.26%	41	0.28%	0.94%	1
Woodward	10,646	0.65%	74	0.50%	0.70%	2
Out of State <sup>5</sup>			380	2.57%		8
Other <sup>6</sup>			732	4.95%		3
<b>TOTALS<sup>7</sup></b>	<b>1,644,918</b>	<b>100%</b>	<b>14,779</b>	<b>100%</b>		<b>106</b>

<sup>1</sup> Source: Oklahoma Employment Security Commission Economic Research and Analysis Division, LAUS Labor Force Data. Includes agricultural and federal employment.

<sup>2</sup> Death filings are included in the count of all filings.

<sup>3</sup> Represents the percentage of filings made per county of injury, calculated as C/EL where C = count of all filings for the county and EL = county employment level.

<sup>4</sup> Subset of all filings.

<sup>5</sup> "Out of state" includes injuries, illnesses and deaths occurring out of state or overseas.

<sup>6</sup> "Other" includes place unknown and missing data.

<sup>7</sup> Percentage totals may differ due to rounding.

**Table 3**  
**Filings by Month of Accident**  
**2010**

<b>Month</b>	<b>All Filings<sup>1</sup></b>	<b>% of Filings</b>	<b>Death Filings</b>
January	1,211	8.2%	9
February	1,116	7.6%	8
March	1,314	8.9%	2
April	1,210	8.2%	4
May	1,259	8.5%	7
June	1,320	8.9%	16
July	1,216	8.2%	14
August	1,225	8.3%	9
September	1,269	8.6%	10
October	1,450	9.8%	10
November	1,046	7.1%	6
December	1,143	7.7%	11
<b>TOTALS<sup>2</sup></b>	<b>14,779</b>	<b>100%</b>	<b>106</b>

<sup>1</sup> Death filings are included in the count of all filings.

<sup>2</sup> Percentage totals may differ due to rounding.

**Table 4**  
**Filings by Day of Week of Accident**  
**2010**

<b>Day of Week</b>	<b>All Filings<sup>1</sup></b>	<b>% of Filings</b>	<b>Death Filings</b>
Monday	2,674	18.1%	17
Tuesday	2,489	16.8%	14
Wednesday	2,438	16.5%	30
Thursday	2,423	16.4%	19
Friday	2,290	15.5%	14
Saturday	1,399	9.50%	10
Sunday	1,066	7.2%	2
<b>TOTALS<sup>2</sup></b>	<b>14,779</b>	<b>100%</b>	<b>106</b>

<sup>1</sup> Death filings are included in the count of all filings.

<sup>2</sup> Percentage totals may differ due to rounding.

**Table 5**  
**Filings by Average Weekly Wage of Injured Worker**  
**2010**

Amount of Weekly Wages	All Filings <sup>1</sup>	Percent	Death Filings
Under \$150	93	0.6%	0
\$150 - \$199	115	0.8%	0
\$200 - \$249	238	1.6%	2
\$250 - \$299	427	2.9%	4
\$300 - \$349	776	5.3%	2
\$350 - \$399	788	5.3%	2
\$400 - \$449	943	6.4%	1
\$450 - \$499	763	5.2%	7
\$500 - \$549	891	6.0%	2
\$550 - \$599	613	4.1%	8
\$600 - \$649	749	5.1%	2
\$650 - \$699	487	3.3%	4
\$700 - \$749	523	3.5%	8
\$750 - \$799	404	2.7%	3
\$800 - \$849	448	3.0%	5
\$850 - \$899	266	1.8%	3
\$900 - \$949	267	1.8%	3
\$950 - \$999	192	1.3%	2
\$1,000 - \$1,999	1,272	8.6%	8
\$2,000 - \$2,999	48	0.3%	1
\$3,000 - \$3,999	3	0.0%	0
\$4,000 - \$4,999	0	0.0%	0
\$5,000 or more	1	0.0%	0
Unknown	4,472	30.3%	39
<b>TOTALS<sup>2</sup></b>	<b>14,779</b>	<b>100%</b>	<b>106</b>

<sup>1</sup> Death filings are included in the count of all filings.

<sup>2</sup> Percentage totals may differ due to rounding.



**Section II - Filings by Part of Body Injured**



**Table 6**  
**Distribution of Filings by Part of Body Injured**  
**2010**

<b>Body Part</b>	<b>Count<sup>1</sup></b>	<b>Percent</b>	<b>Death Filings</b>
Abdomen	94	0.6%	1
Ankle(s)	274	1.9%	1
Arm(s)	592	4.0%	1
Back	3,053	20.7%	8
Body Systems	43	0.3%	6
Brain	10	0.1%	1
Chest	74	0.5%	3
Circulatory System	58	0.4%	12
Digestive System	2	0.0%	0
Ear, inner	278	1.9%	0
Ear, outer	6	0.0%	0
Ear, unspecified	1	0.0%	0
Elbow(s)	204	1.4%	0
Excretory System	5	0.0%	0
Eye(s)	119	0.8%	0
Face	76	0.5%	1
Feet	602	4.1%	1
Finger(s)	534	3.6%	0
Forearm	21	0.1%	0
Hand(s)	1,661	11.2%	0
Head	477	3.2%	15
Hip(s)	276	1.9%	3
Jaw	9	0.1%	0
Knee(s)	1,629	11.0%	0
Leg(s)	639	4.3%	1
Lower Body	10	0.1%	0
Mouth	23	0.2%	0
Multiple Parts	44	0.3%	24
Muscular/Skeletal System	7	0.0%	0
Neck	1,082	7.3%	2
Nervous System	17	0.1%	3
Nose	23	0.2%	0
Other Systems	0	0.0%	0
Respiratory System	257	1.7%	12
Scalp	2	0.0%	0
Shoulder(s)	2,077	14.1%	1
Side	14	0.1%	0
Skull	6	0.0%	2
Thigh(s)	8	0.1%	0
Toe(s)	16	0.1%	0
Trunk	4	0.0%	1
Upper Extremities	12	0.1%	0
Wrist(s)	419	2.8%	0
Nonclassifiable	8	0.1%	2
Unspecified	13	0.1%	5
<b>TOTALS<sup>2</sup></b>	<b>14,779</b>	<b>100%</b>	<b>106</b>

<sup>1</sup> Death filings are included in the count of all filings.

<sup>2</sup> Percentage totals may differ due to rounding.



## **Section III - Filings by Cause of Injury**



**Table 7**  
**Rank-Order Distribution of Filings by Nature of Injury and Gender**  
**2010**

Injury Cause	All Filings <sup>1</sup>		Gender <sup>2</sup>			
	Count	Percent <sup>3</sup>	Count	Percent <sup>4</sup>	Count	Percent <sup>5</sup>
Fall, Slip Or Trip Injury	3,766	25.5%	2,138	22.6%	1,628	30.7%
Repetitive Motion	2,381	16.1%	1,277	13.5%	1,104	20.8%
Strain Or Injury By	1,613	10.9%	1,133	12.0%	480	9.0%
Cut, Puncture, Scrape	1,565	10.6%	995	10.5%	570	10.7%
Miscellaneous Not Otherwise Classified	1,475	10.0%	1,097	11.6%	378	7.1%
Struck Or Injured By	1,374	9.3%	933	9.9%	441	8.3%
Caught In, Under or Between	1,340	9.1%	971	10.3%	369	6.9%
Motor Vehicle	615	4.2%	437	4.6%	178	3.4%
Burn or Scald - Heat Or Cold Exposures	366	2.5%	279	2.9%	87	1.6%
Striking Against Or Stepping On	284	1.9%	208	2.2%	76	1.4%
<b>TOTALS<sup>6</sup></b>	<b>14,779</b>	<b>100%</b>	<b>9,468</b>	<b>100%</b>	<b>5,311</b>	<b>100%</b>

<sup>1</sup> Death filings are included in the count of all filings.

<sup>2</sup> There were no (0) filings which did not indicate the gender of the injured worker.

<sup>3</sup> Represents the percentage of total filings by injury cause.

<sup>4</sup> Represents the percentage of male gender filings by injury cause.

<sup>5</sup> Represents the percentage of female gender filings by injury cause.

<sup>6</sup> Percentage totals may differ due to rounding.

**Table 8**  
**Filings by Nature of Injury, Cause of Injury and Gender (Detail)**  
**2010**

Injury Cause	All Filings <sup>1</sup>		Gender <sup>2</sup>		Gender <sup>2</sup>	
	Count	Percent <sup>3</sup>	Count	Percent <sup>4</sup>	Count	Percent <sup>5</sup>
<b>BURN OR SCALD—HEAT OR COLD EXPOSURES</b>	<b>366</b>	<b>2.5%</b>	<b>279</b>	<b>2.9%</b>	<b>87</b>	<b>1.6%</b>
Chemicals	99	0.7%	76	0.8%	23	0.4%
Contact, Hot Object or Substances	93	0.6%	61	0.6%	32	0.6%
Cold Objects or Substances	0	0.0%	0	0.0%	0	0.0%
Temperature Extremes	35	0.2%	31	0.3%	4	0.1%
Fire or Flame	10	0.1%	8	0.1%	2	0.0%
Steam or Hot Fluids	0	0.0%	0	0.0%	0	0.0%
Dust, Gases, Fumes	72	0.5%	52	0.5%	20	0.4%
Welding Operations	18	0.1%	17	0.2%	1	0.0%
Radiation	0	0.0%	0	0.0%	0	0.0%
Abnormal Air Pressure	0	0.0%	0	0.0%	0	0.0%
Electrical Current	32	0.2%	29	0.3%	3	0.1%
Contact With NOC	7	0.0%	5	0.1%	2	0.0%
<b>CAUGHT IN, UNDER OR BETWEEN Machinery</b>	<b>1,340</b>	<b>9.1%</b>	<b>971</b>	<b>10.3%</b>	<b>369</b>	<b>6.9%</b>
Object Handled	65	0.4%	55	0.6%	10	0.2%
Collapsing Materials	760	5.1%	499	5.3%	261	4.9%
Caught In/Between NOC	6	0.0%	5	0.1%	1	0.0%
	509	3.4%	412	4.4%	97	1.8%
<b>CUT, PUNCTURE, SCRAPE</b>	<b>1,565</b>	<b>10.6%</b>	<b>995</b>	<b>10.5%</b>	<b>570</b>	<b>10.7%</b>
Cut/Scrape by Broken Glass	9	0.1%	8	0.1%	1	0.0%
Hand Tool, Not Powered	78	0.5%	66	0.7%	12	0.2%
Object Being Lifted or Handled	1,436	9.7%	886	9.4%	550	10.4%
Powered Hand Tool	9	0.1%	7	0.1%	2	0.0%
Cut/Puncture/Scrape NOC	33	0.2%	28	0.3%	5	0.1%
<b>FALL, SLIP OR TRIP INJURY</b>	<b>3,766</b>	<b>25.5%</b>	<b>2,138</b>	<b>22.6%</b>	<b>1,628</b>	<b>30.7%</b>
Fall/Slip—Different Level	677	4.6%	522	5.5%	155	2.9%
Fall/Slip—From Ladder, Scaffold	365	2.5%	303	3.2%	62	1.2%
Fall/Slip—From Liquid Grease spills	347	2.3%	114	1.2%	233	4.4%
Fall/Slip—Into Opening	137	0.9%	96	1.0%	41	0.8%
Fall/Slip—On Same Level	0	0.0%	0	0.0%	0	0.0%
Slipped, Did Not Fall	6	0.0%	3	0.0%	3	0.1%
Fall/Slip—On Ice or Snow	347	2.3%	200	2.1%	147	2.8%
Fall/Slip—On Stairs	223	1.5%	122	1.3%	101	1.9%
Fall/Slip/Trip NOC	1,664	11.3%	778	8.2%	886	16.7%



**Table 8 (continued)**  
**Filings by Nature of Injury, Cause of Injury and Gender (Detail)**  
**2010**

Injury Cause	All Filings <sup>1</sup>		Gender <sup>2</sup>			
	Count	Percent <sup>3</sup>	Count	Percent <sup>4</sup>	Male	Female
<b>MOTOR VEHICLE</b>	<b>615</b>	<b>4.2%</b>	<b>437</b>	<b>4.6%</b>	<b>178</b>	<b>3.4%</b>
Crash of Water Vehicle	0	0.0%	0	0.0%	0	0.0%
Crash of Rail Vehicle	4	0.0%	4	0.0%	0	0.0%
Motor Vehicle/Collision	531	3.6%	360	3.8%	171	3.2%
Fixed Object/Collision	1	0.0%	1	0.0%	0	0.0%
Airplane Crash	2	0.0%	1	0.0%	1	0.0%
Vehicle Upset	76	0.5%	70	0.7%	6	0.1%
Motor Vehicle NOC	1	0.0%	1	0.0%	0	0.0%
<b>STRAIN OR INJURY BY</b>	<b>1,613</b>	<b>10.9%</b>	<b>1,133</b>	<b>12.0%</b>	<b>480</b>	<b>9.0%</b>
Continual Noise	275	1.9%	260	2.7%	15	0.3%
Twisting	231	1.6%	156	1.6%	75	1.4%
Jumping	46	0.3%	43	0.5%	3	0.1%
Holding or Carrying	1	0.0%	1	0.0%	0	0.0%
Lifting	513	3.5%	309	3.3%	204	3.8%
Pushing or Pulling	496	3.4%	334	3.5%	162	3.1%
Reaching	41	0.3%	22	0.2%	19	0.4%
Using Tool or Machine	7	0.0%	5	0.1%	2	0.0%
Welding/Throwing	1	0.0%	1	0.0%	0	0.0%
Repetitive Motion	0	0.0%	0	0.0%	0	0.0%
Strain/Injury NOC	2	0.0%	2	0.0%	0	0.0%
<b>STRIKING AGAINST OR STEPPING ON</b>	<b>284</b>	<b>1.9%</b>	<b>208</b>	<b>2.2%</b>	<b>76</b>	<b>1.4%</b>
Striking/Stepping on Moving Parts	4	0.0%	2	0.0%	2	0.0%
Lifted/Handled Object	15	0.1%	10	0.1%	5	0.1%
Sand, Scrape, Clean OPR	0	0.0%	0	0.0%	0	0.0%
Stationary Object	0	0.0%	0	0.0%	0	0.0%
Step on Sharp Object	4	0.0% <sup>3</sup>	3	0.0%	1	0.0%
Strike Against/Step on NOC	261	1.8%	193	2.0%	68	1.3%
<b>STRUCK OR INJURED BY</b>	<b>1,374</b>	<b>9.3%</b>	<b>933</b>	<b>9.9%</b>	<b>441</b>	<b>8.3%</b>
Person (Not in Act of Crime)	183	1.2%	43	0.5%	140	2.6%
Struck/Injured by Falling Object	411	2.8%	294	3.1%	117	2.2%
Hand Tool/Machine In Use	75	0.5%	71	0.7%	4	0.1%
Motor Vehicle	110	0.7%	92	1.0%	18	0.3%
Machine Moving Parts	23	0.2%	20	0.2%	3	0.1%
Lifted or Handled Obj	119	0.8%	72	0.8%	47	0.9%
Object Handled by Others	16	0.1%	13	0.1%	3	0.1%
Animal or Insect	82	0.6%	55	0.6%	27	0.5%
Explosion/Flare Back	49	0.3%	43	0.5%	6	0.1%
Struck/Injured by NOC	306	2.1%	230	2.4%	76	1.4%

**Table 8 (continued)**  
**Filings by Nature of Injury, Cause of Injury and Gender (Detail)**  
**2010**

Injury Cause	All Filings <sup>1</sup>		Gender <sup>2</sup>			
	Count	Percent <sup>3</sup>	Count	Percent <sup>4</sup>	Male	Female
<b>REPETITIVE MOTION</b>	<b>2,381</b>	<b>16.1%</b>	<b>1,277</b>	<b>13.5%</b>	<b>1,104</b>	<b>20.8%</b>
<b>MISCELLANEOUS CAUSES</b>	<b>1,475</b>	<b>10.0%</b>	<b>1,097</b>	<b>11.6%</b>	<b>378</b>	<b>7.1%</b>
Absorption/Ingestion/Inhalation NOC	84	0.6%	68	0.7%	16	0.3%
Foreign Body in Eye	54	0.4%	53	0.6%	1	0.0%
Person (Criminal Act)	125	0.8%	93	1.0%	32	0.6%
Other than Physical	0	0.0%	0	0.0%	0	0.0%
Cumulative (All Others)	2	0.0%	2	0.0%	0	0.0%
Other Misc. Causes	1,210	8.2%	881	9.3%	329	6.2%
<b>TOTALS<sup>6</sup></b>	<b>14,779</b>	<b>100%</b>	<b>9,468</b>	<b>100%</b>	<b>5,311</b>	<b>100%</b>

<sup>1</sup> Death filings are included in the count of all filings.

<sup>2</sup> There were no (0) filings which did not indicate the gender of the injured worker.

<sup>3</sup> Represents the percentage of total filings by major and minor injury cause.

<sup>4</sup> Represents the percentage of male gender filings by major and minor injury cause.

<sup>5</sup> Represents the percentage of female gender filings by major and minor injury cause.

<sup>6</sup> Percentage totals may differ due to rounding.

**Section IV - North American Industry  
Classification System (NAICS)**



**Table 9**  
**NAICS Sectors Compared to Non-Farm Employment: 2006 - 2010**

Average Annual Employment: 2006-2010<sup>1</sup>

NAICS Sectors <sup>2</sup>	2006	2007	2008	2009	2010
Mining	42,100	46,500	51,800	43,400	43,300
Utilities	9,900	10,400	10,800	11,500	11,200
Construction	70,400	71,300	75,600	68,800	66,900
Manufacturing	149,100	150,200	150,700	129,600	123,100
Wholesale Trade	58,700	59,700	59,900	56,500	55,200
Retail Trade	170,800	171,100	173,100	169,300	168,100
Transportation & Warehousing	44,900	47,700	45,800	43,500	42,000
Information	29,800	28,800	28,900	27,500	25,000
Finance & Insurance	59,700	59,700	59,500	58,800	58,300
Real Estate, Rental & Leasing	24,400	24,100	23,600	22,400	21,700
Professional, Scientific & Technical Services	60,800	62,900	64,600	62,100	61,700
Management of Companies & Enterprises	12,600	13,200	13,700	13,200	15,100
Administrative, Support, Waste Management & Remediation Services	101,700	104,800	106,500	90,200	92,300
Educational Services	18,800	18,900	19,500	19,900	20,200
Health Care & Social Assistance	168,800	173,700	178,700	181,700	183,700
Arts, Entertainment & Recreation	15,700	17,300	18,800	14,400	14,300
Accommodation & Food Services	121,000	122,600	125,200	125,700	124,100
Other Services (except Public Administration)	74,500	62,900	63,500	62,000	60,700
Public Administration	273,400	275,300	280,100	291,600	289,000
<b>TOTALS</b>	<b>1,507,100</b>	<b>1,521,100</b>	<b>1,550,300</b>	<b>1,492,100</b>	<b>1,475,700</b>

<sup>1</sup> Source: Oklahoma Employment Security Commission, Labor Market Unit, "CES Data." Excludes agricultural and federal employment. Figures are rounded.

<sup>2</sup> Source: Office of Management and Budget, *North American Industry Classification System, United States, 2007*.

**Table 10**  
**Filings by NAICS Sectors**  
**2010**

NAICS Sectors <sup>3</sup>	All Filings <sup>1</sup>		Gender <sup>2</sup>			
	Count	Percent	Count	Percent	Count	Percent
Agriculture, Forestry, Fishing & Hunting	340	2.3%	274	80.6%	66	19.4%
Mining	573	0.3%	550	96.0%	23	4.0%
Utilities	96	0.6%	92	95.8%	4	4.2%
Construction	1,094	7.4%	1,035	94.6%	59	5.4%
Manufacturing	2,232	15.1%	1,783	79.9%	449	20.1%
Wholesale Trade	469	3.1%	381	81.2%	88	18.8%
Retail Trade	1,634	11.0%	812	49.7%	822	50.3%
Transportation & Warehousing	807	5.4%	680	84.3%	127	15.7%
Information	164	1.1%	87	53.0%	77	47.0%
Finance & Insurance	154	1.0%	47	30.5%	107	69.5%
Real Estate, Rental & Leasing	260	1.7%	187	71.9%	73	28.1%
Professional, Scientific & Technical Services	216	1.4%	123	56.9%	93	43.1%
Management of Companies & Enterprises	23	0.1%	20	87.0%	3	13.0%
Administrative, Support, Waste Management & Remediation Services	788	5.3%	574	72.8%	214	27.2%
Educational Services	92	0.6%	37	40.2%	55	59.8%
Health Care & Social Assistance	1,388	9.3%	206	14.8%	1,182	85.2%
Arts, Entertainment & Recreation	138	0.9%	69	50.0%	69	50.0%
Accommodation & Food Services	691	4.6%	235	34.0%	456	66.0%
Other Services (except Public Administration)	292	1.9%	178	61.0%	114	39.0%
Public Administration	2,386	16.1%	1,406	58.9%	980	41.1%
Nonclassifiable and invalid codes	942	6.3%	692	73.5%	250	26.5%
<b>TOTALS<sup>4</sup></b>	<b>14,779</b>	<b>100.0%</b>	<b>9,468</b>	<b>64.1%</b>	<b>5,311</b>	<b>35.9%</b>

<sup>1</sup> Death filings are included in the count of all filings.

<sup>2</sup> There were no (0) filings which did not indicate the gender of the injured worker.

<sup>3</sup> Source: Office of Management and Budget, *North American Industry Classification System, United States, 2007*.

<sup>4</sup> Percentage totals may differ due to rounding.

**Table 11**  
**Percent Distribution of Filings by NAICS Subsectors**  
**2010**

NAICS Subsectors <sup>1</sup>	All Filings <sup>2</sup>	Percent
<b>AGRICULTURE, FORESTRY, FISHING HUNTING</b>		
Crop Production	22	6.5%
Animal Production	61	17.9%
Forestry & logging	206	60.4%
Fishing, Hunting & Trapping	45	13.2%
Support Activities for Agriculture & Forestry	7	2.1%
<b>Subtotal</b>	<b>341</b>	<b>2.3%</b>
<b>MINING</b>		
Oil & Gas Extraction	98	17.1%
Mining (except Oil & Gas)	27	4.7%
Support Activities for Mining	448	78.2%
<b>Subtotal</b>	<b>573</b>	<b>3.9%</b>
<b>UTILITIES</b>		
Utilities	122	100.0%
<b>Subtotal</b>	<b>122</b>	<b>0.8%</b>
<b>CONSTRUCTION</b>		
Construction of Buildings	207	18.9%
Heavy & Civil Engineering Construction	154	14.1%
Specialty Trade Contractors	734	67.0%
<b>Subtotal</b>	<b>1,095</b>	<b>7.4%</b>
<b>MANUFACTURING</b>		
Food Manufacturing	284	12.7%
Beverage & Tobacco Product	68	3.0%
Textile Mills	11	0.5%
Textile Product Mills	4	0.2%
Apparel Manufacturing	5	0.2%
Leather & Allied Product Manufacturing	5	0.2%
Wood Product Manufacturing	25	1.1%
Paper Manufacturing	29	1.3%
Printing & Related Support Activities	25	1.1%
Petroleum & Coal Products Manufacturing	37	1.7%
Chemical Manufacturing	46	2.1%

**Table 11 (continued)**

<b>NAICS Subsectors<sup>1</sup></b>	<b>All Filings<sup>2</sup></b>	<b>Percent</b>
<b>MANUFACTURING - continued</b>		
Plastics & Rubber Products Manufacturing	242	10.8%
Nonmetallic Mineral Product Manufacturing	141	6.3%
Primary Metal Manufacturing	412	18.5%
Fabricated Metal Product Manufacturing	236	10.6%
Machinery Manufacturing	285	12.8%
Computer & Electronic Product Manufacturing	38	1.7%
Electrical Equipment, Appliance & Component Manufacturing	60	2.7%
Transportation Equipment Manufacturing	219	9.8%
Furniture & Related Product Manufacturing	23	1.0%
Miscellaneous Manufacturing	37	1.7%
<b>Subtotal</b>	<b>2,232</b>	<b>15.1%</b>
<b>WHOLESALE TRADE</b>		
Merchant Wholesalers, Durable Goods	220	46.8%
Merchant Wholesalers, Nondurable Goods	229	48.7%
Wholesale Electronic Markets, Agents & Brokers	21	4.5%
<b>Subtotal</b>	<b>470</b>	<b>3.2%</b>
<b>RETAIL TRADE</b>		
Motor Vehicle & Parts Dealers	211	12.9%
Furniture & Home Furnishings Stores	45	2.8%
Electronics & Appliance Stores	43	2.6%
Building Material, Garden Equipment & Supplies Dealers	163	10.0%
Food & Beverage Stores	280	17.1%
Health & Personal Care Stores	36	2.2%
Gasoline Stations	44	2.7%
Clothing & Clothing Accessories Stores	27	1.7%
Sporting Goods, Hobby, Book & Music Stores	59	3.6%
General Merchandise Stores	638	39.0%
Miscellaneous Store Retailers	61	3.7%
Nonstore Retailers	27	1.7%
<b>Subtotal</b>	<b>1,634</b>	<b>11.1%</b>
<b>TRANSPORTATION &amp; WAREHOUSING</b>		
Air Transportation	248	30.4%
Rail Transportation	1	0.1%
Water Transportation	0	0.0%
Truck Transportation	354	43.4%
Transit & Ground Passenger Transportation	39	4.8%
Pipeline Transportation	4	0.5%
Scenic & Sightseeing Transportation	2	0.2%
Support Activities for Transportation	60	7.4%
Postal Service	0	0.0%
Couriers & Messengers	85	10.4%
Warehousing & Storage	23	2.8%
<b>Subtotal</b>	<b>816</b>	<b>0.1%</b>



**Table 11 (continued)**

NAICS Subsectors <sup>1</sup>	All Filings <sup>2</sup>	Percent
<b>INFORMATION</b>		
Publishing Industries (except Internet)	27	16.5%
Motion Picture & Sound Recording Industries	4	2.4%
Broadcasting (except Internet)	53	32.3%
Internet Publishing & Broadcasting	0	0.0%
Telecommunications	68	41.5%
Internet Service Providers, Web Search Portals & Data Processing Services	10	6.1%
Other Information Services	2	1.2%
<b>Subtotal</b>	<b>164</b>	<b>1.1%</b>
<b>FINANCE &amp; INSURANCE</b>		
Monetary Authorities-Central Bank	7	4.3%
Credit Intermediation & Related Activities	49	30.4%
Securities, Commodity Contracts, Other Financial Investments & Related Activities	14	8.7%
Insurance Carriers & Related Activities	77	47.8%
Funds, Trusts & Other Financial Vehicles	14	8.7%
<b>Subtotal</b>	<b>161</b>	<b>1.1%</b>
<b>REAL ESTATE, RENTAL &amp; LEASING</b>		
Real Estate	195	73.6%
Rental & Leasing Services	70	26.4%
Lessors of Nonfinancial Intangible Assets (except Copyrighted Works)	0	0.0%
<b>Subtotal</b>	<b>265</b>	<b>1.8%</b>
<b>PROFESSIONAL, SCIENTIFIC &amp; TECHNICAL SERVICES</b>		
Professional, Scientific & Technical Services	216	100.0%
<b>Subtotal</b>	<b>216</b>	<b>1.5%</b>
<b>MANAGEMENT OF COMPANIES &amp; ENTERPRISES</b>		
Management of Companies & Enterprises	23	100.0%
<b>Subtotal</b>	<b>23</b>	<b>0.2%</b>
<b>ADMINISTRATIVE, SUPPORT, WASTE MANAGEMENT &amp; REMEDIATION SERVICES</b>		
Administrative & Support Services	743	92.8%
Waste Management & Remediation Services	58	7.2%
<b>Subtotal</b>	<b>801</b>	<b>5.4%</b>
<b>EDUCATIONAL SERVICES</b>		
Educational Services	783	100.0%
<b>Subtotal</b>	<b>783</b>	<b>5.3%</b>
<b>HEALTH CARE &amp; SOCIAL ASSISTANCE</b>		
Ambulatory Health Care Services	532	31.4%
Hospitals	552	32.5%
Nursing & Residential Care Facilities	438	25.8%
Social Assistance	174	10.3%
<b>Subtotal</b>	<b>1,696</b>	<b>11.5%</b>

**Table 11 (continued)**

NAICS Subsectors <sup>1</sup>	All Filings <sup>2</sup>	Percent
<b>ARTS, ENTERTAINMENT &amp; RECREATION</b>		
Performing Arts, Spectator Sports & Related Industries	26	18.6%
Museums, Historical Sites & Similar Institutions	4	2.9%
Amusement, Gambling & Recreation Industries	110	78.6%
<b>Subtotal</b>	<b>140</b>	<b>1.0%</b>
<b>ACCOMMODATION &amp; FOOD SERVICES</b>		
Accommodation	123	17.5%
Food Services & Drinking Places	578	82.5%
<b>Subtotal</b>	<b>701</b>	<b>5.0%</b>
<b>OTHER SERVICES (EXCEPT PUBLIC ADMINISTRATION)</b>		
Repair & Maintenance	132	44.7%
Personal & Laundry Services	100	33.9%
Religious, Grantmaking, Civic, Professional & Similar Organizations	62	21.0%
Private Households	1	0.3%
<b>Subtotal</b>	<b>295</b>	<b>2.0%</b>
<b>PUBLIC ADMINISTRATION</b>		
Executive, Legislative & Other General Government Support	978	75.6%
Justice, Public Order & Safety Activities	261	20.2%
Administration of Human Resource Programs	23	1.8%
Administration of Environmental Quality Programs	6	0.5%
Administration of Housing Programs, Urban Planning & Community Development	19	1.5%
Administration of Economic Programs	6	0.5%
Space Research & Technology	0	0.0%
National Security & International Affairs	0	0.0%
<b>Subtotal</b>	<b>1,293</b>	<b>8.7%</b>
<b>NONCLASSIFIABLE</b>		
Nonclassifiable and invalid codes	958	100.0%
<b>Subtotal</b>	<b>958</b>	<b>6.5%</b>
<b>TOTALS<sup>3</sup></b>	<b>14,779</b>	<b>100%</b>

<sup>1</sup> Source: Office of Management and Budget, *North American Industry Classification System, United States, 2007*.

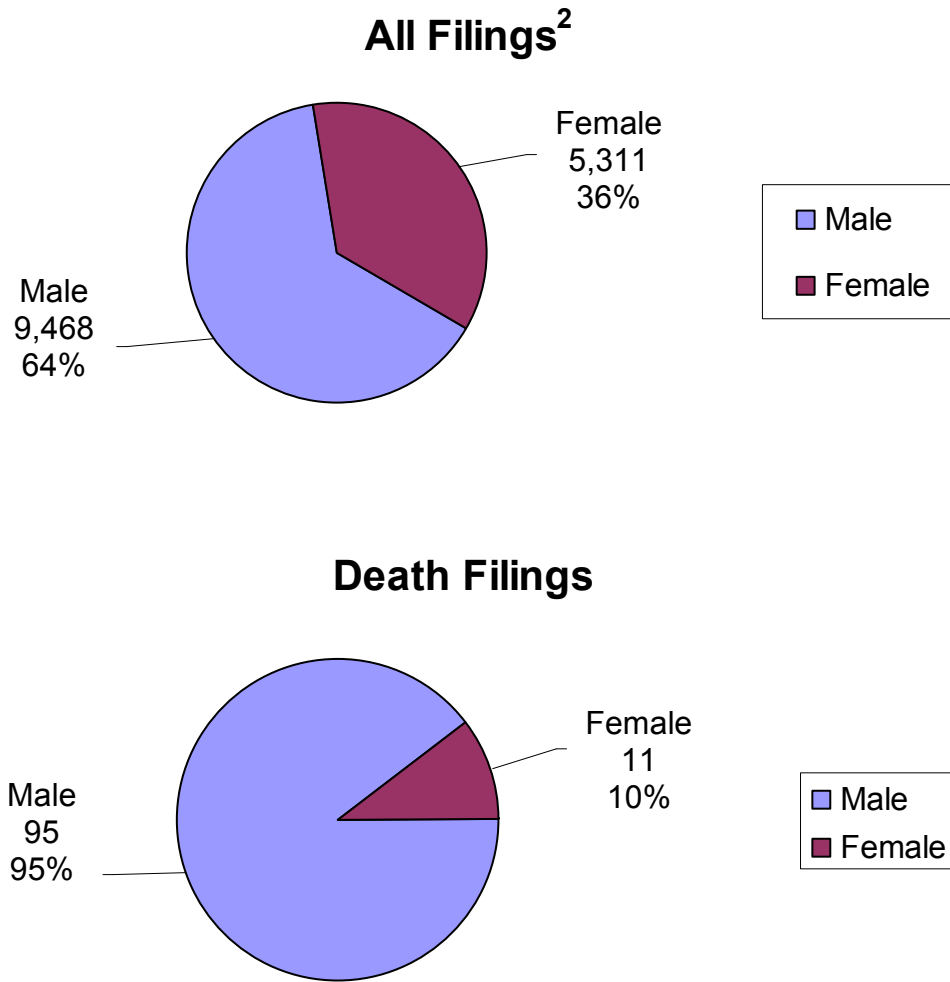
<sup>2</sup> Death filings are included in the count of all filings.

<sup>3</sup> Percentage totals may differ due to rounding.

## **Section V - Filings by Gender**



**Figure 1**  
**Percent Distribution of Filings by Gender<sup>1</sup>**  
**2010**



<sup>1</sup> There were no (0) filings which did not indicate the gender of the injured worker.

<sup>2</sup> Death filings are included in the count of all filings.

<sup>3</sup> Percentage totals may differ due to rounding.



**Section VI - Filings by Age**





**Table 12**  
**Percent Distribution of Filings by Age and Gender**  
**2010**

Age Group	All Filings <sup>2</sup>		Gender <sup>1</sup>			
	Count	Percent <sup>3</sup>	Male	Female	Count	Percent <sup>5</sup>
15 Years or Less	9	0.1%	6	0.1%	3	0.1%
16 - 17 Years	27	0.2%	13	0.1%	14	0.3%
18 - 19 Years	140	0.9%	95	1.0%	45	0.8%
20 - 24 Years	767	5.2%	520	5.5%	247	4.6%
25 - 34 Years	2,602	17.6%	1,746	18.4%	856	16.1%
35 - 44 Years	3,577	24.2%	2,265	23.9%	1,312	24.7%
45 - 54 Years	4,581	31.0%	2,893	30.6%	1,688	31.8%
55 - 64 Years	2,456	16.6%	1,521	16.1%	935	17.6%
65 Years or More	435	2.9%	254	2.7%	181	3.4%
Unknown	185	1.3%	155	1.7%	30	0.5%
<b>TOTALS<sup>6</sup></b>	<b>14,779</b>	<b>100%</b>	<b>9,468</b>	<b>100%</b>	<b>5,311</b>	<b>100%</b>

<sup>1</sup> There were no (0) filings which did not indicate the gender of the injured worker.

<sup>2</sup> Death filings are included in the count of all filings.

<sup>3</sup> Represents the percentage of total filings by age.

<sup>4</sup> Represents the percentage of male gender filings by age.

<sup>5</sup> Represents the percentage of female gender filings by age.

<sup>6</sup> Percentage totals may differ due to rounding.

**Table 13**  
**Filings by Age of Worker and NAICS Sectors**  
**2010**

NAICS Sectors <sup>1</sup>	Age of Worker										Unk	Total
	15 or less	16-17	18-19	20-24	25-34	35-44	45-54	55-64	65 +			
Agriculture, Forestry, Fishing & Hunting	0	1	3	9	29	53	125	118	1	1	340	
Mining	1	1	8	44	138	138	164	63	10	6	573	
Utilities	0	0	1	4	15	17	30	23	4	2	96	
Construction	1	2	6	82	262	285	307	126	9	14	1,094	
Manufacturing	3	0	18	84	313	591	773	386	39	25	2,232	
Wholesale Trade	0	0	3	29	92	121	134	76	10	4	469	
Retail Trade	0	5	29	112	298	388	445	257	75	25	1,634	
Transportation & Warehousing	0	0	3	15	91	193	298	157	40	10	807	
Information	0	0	0	8	30	41	50	32	1	2	164	
Finance & Insurance	0	0	1	6	26	32	44	39	6	0	154	
Real Estate, Rental & Leasing	0	0	2	14	54	58	80	38	11	3	260	
Professional, Scientific & Technical Services	0	0	1	12	45	51	68	30	8	1	216	
Management of Companies & Enterprises	0	0	0	0	1	3	6	10	2	1	23	
Administrative, Support, Waste Management & Remediation Services	1	0	13	62	177	207	221	74	21	12	788	
Educational Services	0	0	0	3	12	21	31	22	3	0	92	
Health Care & Social Assistance	0	2	11	69	263	345	421	223	46	8	1,388	
Arts, Entertainment & Recreation	1	0	3	12	37	26	28	23	4	4	138	
Accommodation & Food Services	0	13	26	67	160	174	167	57	13	14	691	
Other Services (except Public Administration)	0	0	4	15	56	78	72	54	12	1	292	
Public Administration	2	0	4	58	301	539	834	506	98	44	2,386	
Nonclassifiable and invalid codes	0	3	4	62	202	216	283	142	22	8	942	
<b>TOTALS</b>	<b>9</b>	<b>27</b>	<b>140</b>	<b>767</b>	<b>2,602</b>	<b>3,577</b>	<b>4,581</b>	<b>2,456</b>	<b>435</b>	<b>185</b>	<b>14,779</b>	

<sup>1</sup> Source: Office of Management and Budget, *North American Industry Classification System, United States, 2007*.

## **Section VII - Death Filings**



**Table 14**  
**Percent Distribution of Death Filings by Gender and**  
**By NAICS Sectors**  
**2010**

NAICS Sectors <sup>1</sup>	Total Death Filings		Gender			
	Count	Percent <sup>2</sup>	Male Count	Male Percent <sup>3</sup>	Female Count	Female Percent <sup>4</sup>
Agriculture, Forestry, Fishing & Hunting	0	0.0%	0	0.0%	0	0.0%
Mining	11	10.3%	11	11.5%	0	0.0%
Utilities	1	0.9%	1	1.0%	0	0.0%
Construction	13	12.2%	13	13.6%	0	0.0%
Manufacturing	12	11.3%	11	11.5%	1	9.0%
Wholesale Trade	3	2.8%	3	3.1%	0	0.0%
Retail Trade	7	6.6%	6	6.3%	1	9.0%
Transportation & Warehousing	11	10.3%	11	11.5%	0	0.0%
Information	2	1.8%	2	2.1%	0	0.0%
Finance & Insurance	0	0.0%	0	0.0%	0	0.0%
Real Estate, Rental & Leasing	1	0.9%	1	1.0%	0	0.0%
Professional, Scientific & Technical Services	0	0.0%	0	0.0%	0	0.0%
Management of Companies & Enterprises	0	0.0%	0	0.0%	0	0.0%
Administrative, Support, Waste Management & Remediation Services	7	6.6%	7	7.3%	0	0.0%
Educational Services	1	0.9%	1	1.0%	0	0.0%
Health Care & Social Assistance	4	3.7%	1	1.0%	3	27.2%
Arts, Entertainment & Recreation	0	0.0%	0	0.0%	0	0.0%
Accommodation & Food Services	2	1.8%	1	1.0%	1	9.0%
Other Services (except Public Administration)	3	2.8%	3	3.1%	0	0.0%
Public Administration	15	14.1%	12	12.6%	3	27.2%
Nonclassifiable and invalid codes	13	12.2%	11	11.5%	2	18.1%
<b>TOTALS<sup>4</sup></b>	<b>106</b>	<b>100%</b>	<b>95</b>	<b>100%</b>	<b>11</b>	<b>100%</b>

<sup>1</sup> Source: Office of Management and Budget, *North American Industry Classification System, United States, 2007*.

<sup>2</sup> Represents the percentage of total death claim filings by NAICS Sector.

<sup>2</sup> Represents the percentage of male gender filings by NAICS Sector.

<sup>3</sup> Represents the percentage of female gender filings by NAICS Sector.

<sup>4</sup> Percentage totals may differ due to rounding.

**Table 15**  
**Percent Distribution of Death Filings by Gender and  
Part of Body Injured  
2010**

Body Part	Total Death Filings		Gender			
	Count	Percent <sup>1</sup>	Male Count	Male Percent <sup>2</sup>	Female Count	Female Percent <sup>3</sup>
Abdomen	1	0.9%	1	1.1%	0	0.0%
Ankle	1	0.9%	1	1.1%	0	0.0%
Arm(s)	1	0.9%	0	0.0%	1	9.1%
Back	8	7.5%	6	6.3%	2	18.2%
Body Systems	6	5.6%	6	6.3%	0	0.0%
Brain	1	0.9%	1	1.1%	0	0.0%
Chest	3	2.8%	3	3.2%	0	0.0%
Circulatory System	12	11.3%	12	12.6%	0	0.0%
Face	1	0.9%	1	1.1%	0	0.0%
Feet	1	0.9%	0	0.0%	1	9.1%
Head	15	14.2%	14	14.7%	1	9.1%
Hip(s)	3	2.8%	2	2.1%	1	9.1%
Leg(s)	1	0.9%	1	1.1%	0	0.0%
Multiple Parts	24	22.6%	23	24.2%	1	9.1%
Neck	2	1.9%	2	2.1%	0	0.0%
Nervous System	3	2.8%	3	3.2%	0	0.0%
Respiratory System	12	11.3%	10	10.5%	2	18.2%
Shoulder(s)	1	0.9%	0	0.0%	1	9.1%
Skull	2	1.9%	2	2.1%	0	0.0%
Trunk	1	0.9%	1	1.1%	0	0.0%
Nonclassifiable	2	1.9%	2	2.1%	0	0.0%
Unspecified	5	4.7%	4	4.2%	1	9.1%
<b>TOTALS<sup>4</sup></b>	<b>106</b>	<b>100%</b>	<b>95</b>	<b>100%</b>	<b>11</b>	<b>100%</b>

<sup>1</sup> Represents the percentage of total filings by part of body injured.

<sup>2</sup> Represents the percentage of male gender filings by part of body injured.

<sup>3</sup> Represents the percentage of female gender filings by part of body injured.

<sup>4</sup> Percentage totals may differ due to rounding.

**Table 16**  
**Percent Distribution of Death Filings by Gender and Age**  
**2010**

<b>Age Group</b>	<b>Total Death Filings</b>		<b>Gender</b>			
	<b>Count</b>	<b>Percent<sup>1</sup></b>	<b>Male Count</b>	<b>Male Percent<sup>2</sup></b>	<b>Female Count</b>	<b>Female Percent<sup>3</sup></b>
15 Years or Less	1	0.9%	1	1.1%	0	0.0%
16 - 17 Years	0	0.0%	0	0.0%	0	0.0%
18 - 19 Years	0	0.0%	0	0.0%	0	0.0%
20 - 24 Years	6	5.6%	5	5.3%	1	9.1%
25 - 34 Years	14	13.2%	14	14.7%	0	0.0%
35 - 44 Years	24	22.6%	23	24.2%	1	9.1%
45 - 54 Years	32	30.1%	28	29.5%	4	36.4%
55 - 64 Years	23	21.6%	20	21.1%	3	27.3%
65 Years or More	5	4.7%	4	4.2%	1	9.1%
Unknown	1	0.9%	0	0.0%	1	9.1%
<b>TOTALS<sup>4</sup></b>	<b>106</b>	<b>100%</b>	<b>95</b>	<b>100%</b>	<b>11</b>	<b>100%</b>

<sup>1</sup> Represents the percentage of total filings by age.

<sup>2</sup> Represents the percentage of male gender filings by age.

<sup>3</sup> Represents the percentage of female gender filings by age.

<sup>4</sup> Percentage totals may differ due to rounding.

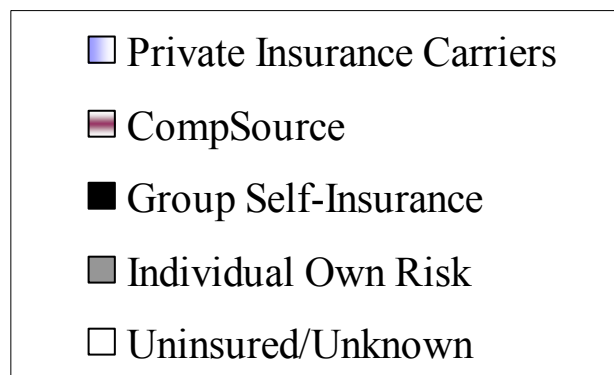
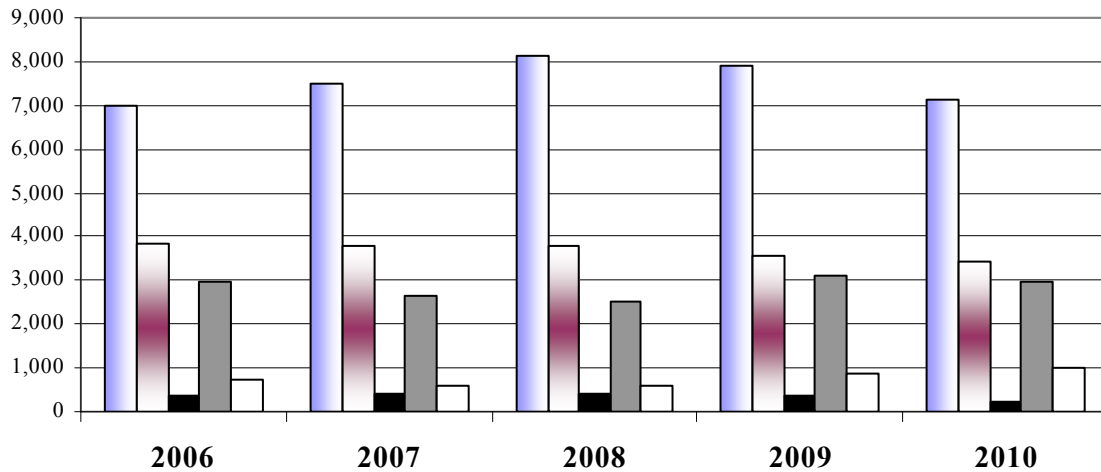




## **Section VIII - Type of Coverage**



**Chart 1**  
**Distribution of Filings by Type of Coverage**  
**2006 - 2010**



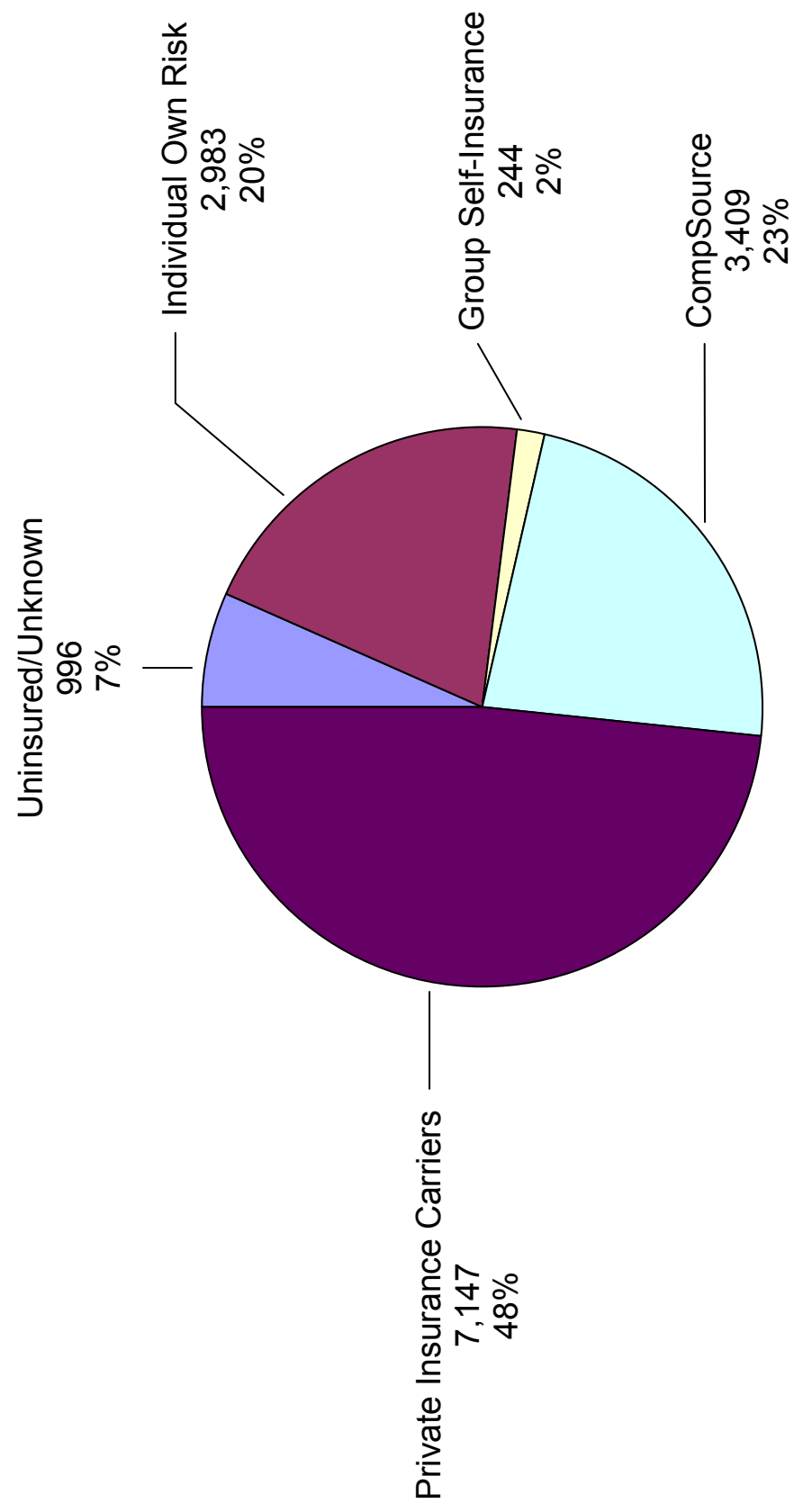
**Filings By Year**

	2006		2007		2008		2009		2010	
	Qty	%	Qty	%	Qty	%	Qty	%	Qty	%
<b>Private Insurance Carriers</b>	7,010	47%	7,504	50%	8,133	53%	7,908	50%	7,147	48%
<b>CompSource</b>	3,839	26%	3,777	25%	3,778	24%	3,561	23%	3,409	23%
<b>Group Self-Insurance</b>	388	3%	421	3%	392	3%	375	2%	244	1%
<b>Individual Own Risk</b>	2,947	19%	2,652	18%	2,503	16%	3,127	20%	2,983	20%
<b>Uninsured/Unknown</b>	735	5%	616	4%	614	4%	867	5%	996	6%
<b>TOTALS<sup>1</sup></b>	14,919	100%	14,970	100%	15,420	100%	15,838	100%	14,779	100%

<sup>1</sup> Percentage totals may differ due to rounding.

Figure 2

# Percent Distribution of Filings by Type of Coverage 2010



**Section IX - Settlements, Dismissals  
and Court Orders**



**Table 17**  
**Select Orders and Settlements: 2006 - 2010**

<b>Type of Order<sup>1</sup></b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>
Form 14.....	490	99	17	5	4
Joint Petition .....	10,700	10,513	10,536	10,080	9,335
Claims Dismissed .....	486	427	340	321	398
Commute to a Lump Sum.....	82	133	147	151	187
Death Benefits.....	64	59	55	63	70
Denial of Claim.....	505	532	446	589	549
Denial - Miscellaneous .....	245	184	144	191	247
Disfigurement .....	68	63	68	74	62
Independent Medical Examination .....	2,329	606	425	555	1,058
Miscellaneous .....	2,404	1,996	2,278	2,179	2,076
Nunc Pro Tunc .....	839	793	777	798	721
Order to Vacate.....	119	137	144	311	335
Payment of Medical Expenses (Form 19).....	662	675	647	728	665
Permanent Partial Disability .....	3,413	3,431	3,480	3,768	4,405
Permanent Total Disability .....	78	62	40	63	85
Multiple Injury Trust Fund .....	34	21	31	60	98
Multiple Injury Trust Fund PTD.....	71	159	165	187	294
Supplemental Order .....	115	75	83	77	80
Temporary Total Disability.....	2,034	2,090	2,147	2,329	2,342
Vocational Rehabilitation .....	150	163	160	151	167
Vocational Rehabilitation Evaluation.....	570	545	479	512	650

<sup>1</sup> Not all order/settlement categories appear in this table.

**Table 18**  
**Orders and Settlements, Calendar Year 2010 (Detail)<sup>1</sup>**

Settlement/Order Type	Number of Awards or Settlements	Amount of Award or Settlement
--------------------------	------------------------------------	----------------------------------

**Agreed Settlements**

Form 14.....	4	\$53,550
Joint Petition.....	9,335	\$211,793,320
Compromise Settlement (Form 1X).....	1	\$1,500
Form 26.....	330	\$3,426,817

Order Type	Number of Orders	Amount of Orders
---------------	---------------------	---------------------

**Workers' Compensation Court Orders**

Change of Condition PPD .....	157	\$3,832,841
Change of Condition TTD .....	103	
Change of Condition PTD Reopen Worse.....	4	
Compensability.....	127	
Death Benefits .....	70	
Denial of Claim .....	549	
Denial, Miscellaneous .....	247	
Disfigurement .....	62	\$433,775
Payment of Medical Expenses.....	665	
Medical Treatment Ordered.....	2,323	
Medical Case Management Approved.....	117	
Permanent Partial Disability (PPD).....	4,405	\$142,953,284
Permanent Total Disability .....	85	
Multiple Injury Trust Fund.....	98	\$2,096,377
Multiple Injury Trust Fund PTD.....	294	
Employer Combined Disability .....	30	
Temporary Total Disability .....	2,342	
Independent Medical Examination .....	1,058	
Change of Physician .....	4,527	
Vocational Rehabilitation Evaluation.....	650	
Attorney Fees.....	42	
Attorney Withdrawal .....	2,044	
Certification to District Court.....	114	
Claim Dismissed.....	398	
Commute to a Lump Sum.....	187	
Consolidation of Claims .....	313	



**Table 18 (continued)**

**Orders and Settlements, Calendar Year 2010 (Detail)<sup>1</sup>**

<b>Order Type</b>	<b>Number of Orders</b>	<b>Amount of Orders</b>
Employer/Insurance Carrier Dismissed .....	230	
Employer/Insurance Carrier Added .....	29	
Extension of Time .....	0	
Jurisdiction .....	6	
Miscellaneous .....	2,076	
Nunc Pro Tunc .....	721	(\$63,966)
Order to Vacate .....	335	(\$4,794,181)
Pauper Status Approved .....	5	
Pauper Status Denied .....	1	
Multiple Injury Trust Fund, Miscellaneous .....	8	
Supplemental Order .....	80	
Venue .....	110	
Vocational Rehabilitation .....	167	
Order for Mediation .....	1,094	

**Court En Banc Orders of Appealed Workers' Compensation Court Cases**

Appeal Affirming .....	839	
Appeal Modifying .....	313	(\$147,098)
Appeal Dismissing .....	11	
Appeal Remanded/Vacated .....	141	(\$386,347)

**Supreme Court Orders of Appealed Workers' Compensation Court Cases**

Mandate Affirming .....	0	
Mandate Dismissing .....	21	
Mandate JP of Settlement .....	7	
Mandate Sustaining .....	102	
Mandate Remanded/Vacated .....	12	

<sup>1</sup> Not all order categories appear in this table. All Orders of the Court Administrator, except settlements, are excluded.

**Table 19**  
**2010 Judicial Activity**

	Judge	Trial Settings	PHC Settings	Orders Written & Approved <sup>1</sup>	En Banc Appeal Settings By Judge	En Banc Orders Signed By Judge
<b>Workers' Compensation Court Judges</b>	<b>Black</b>	2,307	3,358	2,007	354	273
	<b>Eldridge</b>	2,861	4,986	3,123	458	356
	<b>Evans</b>	452	818	582	56	25
	<b>Farrar</b>	2,804	3,617	2,343	325	269
	<b>Foster</b>	2,609	3,797	2,389	320	229
	<b>Grove</b>	2,108	3,821	1,607	460	324
	<b>Harkey</b>	3,155	4,133	2,901	365	260
	<b>Leonard</b>	2,638	3,243	2,262	315	249
	<b>McCormick</b>	2,824	4,503	3,578	488	378
	<b>Prigmore</b>	2,398	5,298	2,217	344	250
	<b>Quandt</b>	2,786	5,042	3,745	279	231
<b>Reid</b>	484	830	577	82	55	
<b>Active Retired Judges</b>	<b>Cashion</b>	0	0	0	18	11
	<b>Craig</b>	0	0	0	15	15
	<b>Salyer</b>	0	0	0	18	12
	<b>Totals</b>	<b>27,426</b>	<b>43,446</b>	<b>27,331</b>	<b>3,987</b>	<b>2,937</b>

<sup>1</sup> Excludes Settlements and Court En Banc orders.

<sup>2</sup> For total Court En Banc case settings see Table 21.

<sup>3</sup> For total Court En Banc orders see Table 20.

**Table 20**  
**Appellate Activity: 2006 - 2010**

**Court En Banc Orders**

Type of Order	2006	2007	2008	2009	2010
En Banc Appeal Affirming.....	659	687	502	448	526
En Banc Appeal Dismissing.....	12	8	4	20	11
En Banc Appeal Modifying.....	243	304	208	307	313
En Banc Appeal Remanded/Vacated.....	131	174	136	128	141
<b>TOTALS.....</b>	<b>1,045</b>	<b>1,173</b>	<b>850</b>	<b>903</b>	<b>991</b>

**Supreme Court Orders**

Type of Order	2006	2007	2008	2009	2010
Mandate Affirming.....	3	2	2	2	0
Mandate Dismissing.....	23	36	19	17	21
Mandate JP of Settlement.....	7	12	10	18	7
Mandate Remanded/Vacated <sup>1</sup> .....	28	19	18	16	12
Mandate Sustaining.....	129	135	113	105	102
<b>TOTALS.....</b>	<b>190</b>	<b>204</b>	<b>162</b>	<b>158</b>	<b>142</b>

<sup>1</sup> This category includes the subcategories: Mandate Affirmed, Mandate Affirmed Death Benefits, Mandate Affirmed Disfigurement, Mandate Affirmed PPD and Mandate Affirmed TTD.



**Section X - Maximum Weekly  
Compensation Rates**



**Chart 2**  
**Maximum Weekly Compensation Rates**  
For injuries or deaths occurring 11/1/82 - 08/26/2015

Injury/Death Date	TTD <sup>1</sup>	PPD <sup>2 &amp; 5</sup>	PTD <sup>3</sup>	Death <sup>4</sup>
11/01/10 - 10/31/11	\$716	See PPD rate information below	\$716	See footnote 4
08/27/10 - 08/26/15	n/a	\$323	n/a	See footnote 5
11/01/09 - 10/31/10	\$717	\$359	\$717	See footnote 4
11/01/08 - 10/31/09	\$683	\$342	\$683	See footnote 4
11/01/05 - 10/31/08	\$577	\$289	\$577	See footnote 4
11/01/02 - 10/31/05	\$528	\$264	\$528	See footnote 4
10/23/01 - 10/31/02	\$473	\$237	\$473	See footnote 4
11/01/99 - 10/22/01	\$473	\$237	\$473	\$473
11/01/96 - 10/31/99	\$426	\$213	\$426	\$426
01/01/96 - 10/31/96	\$409	\$205	\$409	\$409
01/01/95 - 12/31/95	\$368	\$205	\$368	\$368
11/01/93 - 12/31/94	\$307	\$205	\$307	\$307
09/01/92 - 10/31/93	\$277	\$185	\$277	\$277
11/01/90 - 08/31/92	\$246	\$185	\$246	\$246
11/01/87 - 10/31/90	\$231	\$173	\$231	\$231
11/01/84 - 10/31/87	\$217	\$163	\$217	\$217
11/01/83 - 10/31/84	\$212	\$159	\$212	\$212
11/01/82 - 10/31/83	\$196	\$147	\$196	\$196

<sup>1</sup> TTD is 70% of the employee's average weekly wage, not to exceed **75%** of the state's average weekly wage (SAWW), for injuries occurring from 9/1/92 through 12/31/94. For injuries occurring from 1/1/95 through 12/31/95, TTD is 70% of the employee's average weekly wage, not to exceed **90%** of the SAWW. For injuries occurring on and after 1/1/96, TTD is 70% of the employee's average weekly wage, not to exceed **100%** of the SAWW.

<sup>2</sup> PPD is 70% of the employee's average weekly wage, not to exceed **50%** of the SAWW, for injuries on and after 9/1/92.

<sup>3</sup> PTD is 70% of the employee's average weekly wage, not to exceed **75%** of the SAWW, for injuries occurring from 9/1/92 through 12/31/94. For injuries occurring from 1/1/95 through 12/31/95, PTD is 70% of the employee's average weekly wage, not to exceed **90%** of the SAWW. For injuries occurring on and after 1/1/96, PTD is 70% of the employee's average weekly wage, not to exceed **100%** of the SAWW.

<sup>4</sup> For deaths occurring before 10/23/01, the maximum weekly income benefits payable to **all** beneficiaries was the weekly amount the deceased would have received for PTD. For deaths occurring on or after 10/23/01, the maximum weekly income benefits payable to **all** beneficiaries varies depending upon the deceased's average weekly wage. If the deceased's average weekly wage is less than the SAWW, the aggregate weekly income benefits payable to **all** beneficiaries shall not exceed 100% of the deceased's average weekly wage. If the deceased's average weekly wage equals or exceeds the SAWW, the aggregate weekly income benefits payable to **all** beneficiaries shall not exceed the SAWW.

<sup>5</sup> PPD is 70% of the employee's average weekly wage, up to a maximum of \$323. In addition, the PPD rate was established by legislation for a 5-year period, commencing on August 27, 2010 through August 26, 2015.





## **Section XI - Dockets**



**Table 21**  
**Hearings Set by Issue or Docket Type & City of Setting**  
**2010**

Type of Issues/Docket to be Set	Oklahoma City	Tulsa	TOTALS
<b><u>Trial Dockets</u></b>			
Trial Settings .....	13,400	7,735	21,135
Multiple Injury Trust Fund (PPD & Perm. Total) .....	626	168	794
Employer Combined Disability .....	98	42	140
Miscellaneous Issues .....	3,512	1,845	5,357
<b><u>Informal Dispute Resolution Dockets</u></b>			
Temporary Issue Docket.....	1,243	1,446	2,689
Prehearing Conference .....	28,423	15,023	43,446
Form 19 Disposition Docket .....	922	401	1,323
Judicial Settlement Conferences.....	2	0	2
<b><u>Appellate Dockets</u></b>			
Court En Banc Appeals .....	993	306	1,299
<b>TOTALS.....</b>	<b>49,219</b>	<b>26,966</b>	<b>76,185</b>

**Trial Settings:** This docket includes issues involving permanent partial disability, temporary total disability and death benefits.

**Judicial Settlement Conference:** Judicial Settlement Conferences permit an informal discussion between the parties, attorneys, and the settlement judge on every aspect of the case bearing on its settlement value in an effort to resolve the matter before trial. The conference is conducted by a judge other than the assigned trial judge. The judicial settlement conference docket process was developed effective 10/23/01 in response to changes to 85 O.S., § 3.4.

**Temporary Issue Docket:** Preliminary docket used for Requests for TTD, Objection to Terminate TTD, Motion to Terminate TTD, Motion to Reopen for TTD, Motion for Change of Physician, Request for Medical Treatment, Prosthesis, Rate of Compensation and Custodial Care.

**Miscellaneous Issues:** Include instances where a Form 19 claim cannot be resolved at the Administrative Docket level, and the parties request judicial determination. If this issue is scheduled on a judicial docket with no other issue it is counted as a "miscellaneous" setting. In addition, if a party "motions" the court to order production of documents, etc, and these issues are not accompanied by any other "weightier" issue, these "motions" are also counted in the miscellaneous category.

**Prehearing Conference:** A Prehearing Conference docket used for review of issues such as Redetermination of Death Benefits, Rehabilitation, Attorney Fees, Disfigurement, Jurisdiction, Penalty, Reimbursement of Expenses, Travel Expenses, Request for IME, Multiple Injury Trust Fund (Permanent Total & Permanent Partial), Motion to Grant a Judicial Settlement Conference and miscellaneous Motions (i.e. Motions to Compel, to Commute, to Revoke Insurance License, to Produce, to Consolidate Claims for Hearing, to Tax Costs, to Change Venue of Hearing).

**Court En Banc Appeals:** A docket consisting of cases appealed from orders of a Workers' Compensation Court trial judge to a three-judge review panel.

**Form 19 Disposition Docket:** A docket utilized for the Request for Payment of Health or Rehabilitation Services.



## **Section XII - Dispute Prevention**



# Dispute Prevention

Dispute prevention covers a broad range of efforts by the Workers' Compensation Court to distribute information, provide assistance, and educate and train stakeholders. These efforts help resolve differences between the parties without resort to trial. They include:

- Making telephone information lines, including a toll-free line, available to the public;
- Assisting stakeholders;
- Providing education and training;
- Producing written materials explaining rights and responsibilities under the law; and
- Providing information on the Internet.

## *Telephone Information Lines and Assisting Stakeholders*

In addition to its regular business telephone lines, the Court maintains an in-state toll free information line. Most requests for information or assistance are processed by the Court's Counselor Department. The department was created in 1994 and previously was known as the Ombudsman Office. The Department provides information, training and outreach to injured workers and other stakeholders. Counselors regularly assist employers, workers, insurers, medical providers, attorneys, government agencies, and the Attorney General's Workers' Compensation Fraud Unit.

In calendar year 2010, counselors responded to 28,089 telephone calls about the law, made 1,793 follow-up contacts, assisted 562 visitors who came to the Court for help, and responded in writing to 5,995 requests for information (including requests for brochures and educational documents).

**Table 24. Inquiries to Counselor Department by Inquirer**

Inquirer	2006		2007		2008		2009		2010	
	Count	Share	Count	Share	Count	Share	Count	Share	Count	Share
Worker	16,572	57.27%	15,004	54.92%	15,611	55.11%	13,392	48.26%	12,926	46.02%
Employer	3,632	12.55%	3,946	14.44%	2,411	8.51%	2,252	8.12%	2,332	8.30%
Medical Provider	4,723	16.32%	4,294	15.72%	4,657	16.44%	6,057	21.83%	7,023	25.00%
Attorney	233	0.81%	624	2.28%	961	3.39%	892	3.21%	756	2.69%
Insurance Carrier	521	1.80%	698	2.55%	771	2.72%	708	2.55%	661	2.35%
AG Workers' Compensation Fraud Unit	763	2.64%	758	2.77%	737	2.60%	893	3.22%	1,012	3.60%
Legislators	78	0.27%	31	0.11%	17	0.06%	28	0.10%	34	0.12%
Other OK Government Agencies	217	0.75%	326	1.19%	209	0.74%	314	1.13%	166	0.59%
Other States	54	0.19%	112	0.41%	56	0.20%	97	0.35%	81	0.29%
Other	2,146	7.42%	1,529	5.60%	2,897	10.23%	3,117	11.23%	3,098	11.03%
<b>TOTAL</b>	<b>28,939</b>	<b>100%</b>	<b>27,322</b>	<b>100%</b>	<b>28,327</b>	<b>100%</b>	<b>27,750</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>

More than 46% of the inquiries were initiated by the worker, followed next by inquiries from medical providers. Questions regarding medical issues also are responded to by other Court staff. Most questions on medical issues concern the workers' compensation fee schedule and the Independent Medical Examiner and Medical Case Manager systems maintained by the Court.

## ***Education and Training***

The Court periodically sponsors, or jointly sponsors, educational seminars for workers' compensation system stakeholders. Its first program was in 1995. Additional programs have been held regularly thereafter. The programs are attended by insurance and business representatives, government agency personnel, physicians and their staff, attorneys and other legal professionals, certified workplace medical plan employees, vocational rehabilitation evaluators, case managers, and other health care professionals. The programs highlight legislative and case law developments, workers' compensation trends and best practices. They are designed to educate and train stakeholders about workers' compensation laws.

Onsite training and workshops for various business, insurance and civic groups also are provided by the Court's Counselor Department upon request. Additionally, Judges and other court staff are frequent presenters at programs sponsored by the Oklahoma Bar Association and other groups. In calendar year 2010, counselors participated in educational conferences around the state attended by approximately 678 persons.

## ***Written Materials***

The Counselor Department produces written information, including brochures and educational documents, that explain rights and responsibilities under the workers' compensation law. Upon request, it distributes materials designed for injured workers and materials aimed at employers. In addition, the Department produces materials that describe aspects of the workers' compensation system (such as information on mediation and about resolving medical disputes). Written materials also are prepared by the Judges and court staff for various seminars sponsored or participated in by court personnel.

The Court Administrator produces a workers' compensation fee schedule. The document sets the maximum allowable reimbursement for health care services rendered to an injured worker with a compensable injury. By stating maximum amounts, the schedule provides the parties guidance for resolving charge disputes without involving either the Court or the Court Administrator. The schedule was adopted last in December 2009 and became effective January 1, 2010, and remains in effect at this time. It is available on the Court's web site at <http://www.owcc.state.ok.us/publications1.htm>, under "Medical".

## ***Information Via the Internet***

The Court maintains an Internet web site at <http://www.owcc.state.ok.us> that is specific to workers' compensation in Oklahoma. The site became operational in February 2002 and is



updated regularly. It has general information about the Court and includes materials such as a staff directory, brochures and other court publications, insurance information, updates on recent changes, court rules and forms, and links to Oklahoma's workers' compensation laws and to Internet sites of workers' compensation entities in other states. The Court's site also provides e-mail contact directly to the Counselor Department for individual assistance.



**Section XIII - Informal Dispute Resolution**



# **Informal Dispute Resolution**

Various informal dispute resolution processes implemented by the Court are described below. Each is intended to help provide a fast, cost-effective means of resolving disputes by the parties without the need for a trial. To the extent litigation is avoided, claims related costs like attorney fees and medicolegal costs are minimized.

## ***Mediation***

Mediation is the process of resolving disputes with the assistance of a mediator, outside of a formal court proceeding. The purpose of mediation is to identify issues, clarify misunderstandings, explore solutions, and negotiate settlement. It is an alternative to litigation. All workers' compensation issues may be mediated except combined disabilities claims involving the Multiple Injury Trust Fund and claims subject to the dispute resolution procedure of a certified workplace medical plan (managed care organization). Law changes affecting mediation were made in SB1X (2005). Now mediation may be by agreement of the parties, by court order upon request of a party, or on the Court's own motion when determined helpful to resolve the claim. Before 2005, the law required both parties to consent to mediation and to agree upon the mediator before mediation could occur.

Sixty-five mediators are certified by the Court to provide services under the Court Mediation System (CMS). Seven applications for certification were processed by the Court's Counselor Department in 2010. Court certified mediators serve five-year terms. Mediators are located in Ada, Ardmore, Edmond, Midwest City, Norman, Oklahoma City, Pauls Valley, Shawnee and Tulsa.

The Court entered 5 orders for mediation in CY 2005 after enactment of SB1X, 124 in CY 2006, 525 in CY 2007, 657 in CY 2008, 1,286 in CY 2009, and 1,094 in CY 2010. Comparatively, during the six-year period before SB1X, only 60 inquiries regarding mediation were processed by the Court's Counselor Department. Mediation orders may affect multiple cases.

## ***Judicial Settlement Conferences***

The Legislature authorized informal dispute resolution through settlement conferences conducted by a judge other than the assigned trial judge beginning October 23, 2001. A judicial settlement conference may be requested by a party or may be set by the Court on its own motion. The purpose of the judicial settlement conference is to permit an informal discussion between the parties, attorneys, if any, and the settlement judge on every aspect of the case bearing on its settlement value in an effort to resolve the matter before trial. The conference can come before or after a request for trial. The settlement conference can result in voluntary agreement that fully resolves the claim or disputed issues.

The Court set 2 judicial settlement conferences in calendar year 2010, which is the same number of settings of this type for the prior calendar year 2009.

## ***Prehearing Conferences***

Prehearing conferences are informal meetings between the parties and a judge to address a wide variety of issues ranging from determination of death benefits in an admitted claim to questions of jurisdiction. There is no sworn testimony or cross examination of witnesses, and, unless requested, no formal transcript of the meeting. The conference may be used to discuss settlement of the case or issues related to the case, or to determine issues in dispute. It gives the parties a chance to meet in the presence of the judge, to exchange information, to define issues, and to resolve disputes voluntarily or with judicial assistance. A prehearing conference also may be used in the formal hearing context to dispose of procedural matters, including discovery issues, in anticipation of trial.

Use of prehearing conferences increased from 8,663 in 1992 to 43,446 in 2010. To address the volume of these informal conferences, judges docket an average of 26 prehearing conferences daily four days per week. This is in addition to an average of 16 cases set on a daily trial docket Monday through Thursday, and 14 cases set on average on the three-judge appellate panel settings on Friday.

## ***Temporary Issue Docket***

The temporary issue docket (TID) provides the parties an opportunity to meet informally to resolve medical treatment and temporary disability issues or to schedule a hearing with a judge. Early resolution of these matters can reduce litigation by promoting maximum medical improvement and return to work. In calendar year 2010, the time from filing to TID was 4 weeks, with hearing dates immediately thereafter or at a later time as necessary for discovery.

## ***Administrative Review of Disputed Medical Charges***

Two administrative processes were created by the Court to help resolve charge disputes between medical/rehabilitation providers and insurers, without the need for trial.

The Form 18 process permits the Administrator to address conflicting interpretations of the workers' compensation fee schedule. The determinations are made based on written submissions by the parties. Outcomes include voluntary agreement or administrative order allowing or denying all, or a portion of, the disputed charges.

The Form 19 process pertains to all other medical/rehabilitation charge disputes. It may involve a trial before a judge if the parties are unable to voluntarily resolve the controversy. Docket office staff record the disposition of the Form 19 disputes. In calendar year 2010, 423 out of 1,323 cases set for Form 19 meeting were announced "resolved" or resulted in an agreed order. In other words, roughly 32% of all cases set for Form 19 meeting were disposed of by voluntary agreement. An additional 11% (152 of 1,323) were stricken from consideration because the providers elected not to pursue the matter. This election may reflect payment or other satisfactory disposition of the charge dispute outside the Court's processes.

**Section XIV - Departmental Activity**





# **Departmental Activity**

## ***Counselor Department***

The Counselor Department was created in 1994 and previously was known as the Ombudsman Office. The department is the Court's primary information unit and focuses much of its efforts on dispute prevention. Its responsibilities include assisting employers, insurers, health care providers, injured workers and dependents of injured workers, providing educational materials and information on rights, benefits and obligations under the law, answering questions about the workers' compensation system, supporting a toll-free information line, and processing applications to serve as a mediator for the Court's mediation system. In addition, counselors work cooperatively with the Oklahoma Attorney General's Workers' Compensation Fraud Unit, and with the Worker Safety Policy Council, Oklahoma Department of Career and Technology Education, and Oklahoma Employment Security Commission to provide educational programs on workers' compensation for business and labor interests across the state.

Details about the department's activities are set out more fully in the "Dispute Prevention" section of this Annual Report.

## ***Office of the Court Clerk***

The Office of the Court Clerk receives court filings, certifies documents, prepares and transmits records on appeal, accepts appeal bonds, serves as the Court's records custodian, and manages the Court's records retention schedule. In calendar year 2010, the office certified approximately 800 documents from court claims files, processed 68 appeal bonds for appeals to the Oklahoma Supreme Court, and prepared and transmitted 150 records on appeal to the Supreme Court.

## ***Data Processing/Management Information Services Department***

The Data Processing/Management Information Services Department is responsible for the computer network, programs, and databases of the Court, including databases related to claims filings since 1989 and workers' compensation insurance coverage information. The department assists other court departments in meeting their goals through the use of technology, maintains the Court's web site and supports the Workers' Compensation Court Information System (WCIS). WCIS is the backbone of the Court's case and system management applications. All aspects of the Court's operations, including the processing of injury, claims and insurance information, docketing, order processing, fee collection, and public access to data on case activity, are supported by WCIS. Additional enhancements to WCIS are planned, subject to budgetary limitations.

In December 2009, the Court began transmitting Docket Hearing Notices electronically, which has improved the 'timeliness' for which parties receive notification of hearing dates, and

utilizes technology to improve the efficiency of court processes.

## **Docket Office**

The Docket Office docket hearings, notifies parties of hearing dates, and manages administrative dockets designed to resolve certain disputes without the need for trial. In 2010, the office set 76,185 hearings, up from 72,284 in 2009. Hearings set were for both informal and formal dispute resolution proceedings involving a judge.

Statistics on the time period between a request for hearing and the actual hearing date are used to gauge how effectively the Court is meeting its responsibility for timely resolution of cases. In 2010, the average time-to-hearing benchmarks were: **temporary issue scheduling dockets**, 4 weeks, with hearing dates immediately thereafter or at a later time as necessary for discovery; **prehearing conferences**, 5 weeks; **permanent partial disability**, 10 weeks; and **three-judge panel appeals**, 11 weeks.

The notable development over time has been a reduction in the time periods parties must wait for a hearing. The greatest drop in time-to-hearing was for hearings on permanent disability issues. Those issues constitute the largest single category of cases which are resolved by the Court. The time-to-hearing for permanent disability issues dropped from an average of 36 weeks in 1992, to an average of 10 weeks in 2010.

## **Form 3 Processing Department**

The Form 3 Processing Department processes initial and amended claims for compensation, and orders entered into by mutual agreement of the parties. The department creates court files, verifies the existence of insurance coverage for the claim, enters data into the Court's information system (WCIS), and mails information to the parties. In 2010, the department processed 19,886 claims and amended claims for compensation.

## **Insurance**

<b>Individual Self-Insured Employers By Major Industrial Division: CY2010</b>	
Manufacturing	62
Services	46
Public Sector	34
Transportation	17
Retail	18
Mining	9
Construction	8
Public Utilities	4
Wholesale	4
Financial, Insurance & Real Estate	3
Farming	3
Total	208

Under the authority of the Court Administrator, the Insurance Department regulates self-insured employers and employer group associations. The department also regulates third party administrators, maintains a workers' compensation insurance database for the state covering more than 224,801 employers, and maintains a database of service agents designated by each workers' compensation payor. The department works cooperatively with

the Oklahoma Department of Labor to enforce laws regarding workers' compensation coverage. Employers who fail to secure their workers' compensation obligations are subject to criminal sanctions, and civil penalties imposed by the Commissioner of Labor.

Effective February 1, 2007, insurers writing workers' compensation insurance in Oklahoma were given the option of electing to use the National Council on Compensation Insurance (NCCI) proof of coverage (POC) information system to satisfy certain statutory filing requirements with the Court. The department processed in excess of 318,000 certificates of insurance coverage, cancellations, reinstatements and notices of amended coverage in 2010.

In 2010, the department evaluated over 575 applications and financial statements pertaining to self-insurance, group self insurance, or third party administration.

The department approved 208 individual self-insured employers in 2010, approximately 30% of which are in the manufacturing sector. Combined, individual self-insured employers covered about 256,000 employees and had a combined gross payroll of over \$10 Billion Dollars.

<b>Self-Insurance Status By Calendar Year: CY2004 - CY2010</b>			
<b>Year</b>	<b># of Self-Insurers</b>	<b># of Employees Covered</b>	<b>Gross Payroll</b>
2010	208	256,230	\$10,139,462,180
2009	219	231,923	\$9,340,763,758
2008	223	231,563	\$8,027,403,708
2007	220	231,236	\$8,036,874,820
2006	217	220,482	\$8,549,191,380
2005	229	230,141	\$8,017,178,092

In 2010, eight group self-insurance associations, covering 1,030 member employers, were approved by the Insurance department.

<b>Group Self Insurance Association Status by Calendar Year: CY2004 - CY2010</b>			
<b>Year</b>	<b># of Groups</b>	<b># of Group Members</b>	<b>Total Standard Premium</b>
2010	8	1,030	\$36,244,646
2009	8	1,037	\$35,578,093
2008	8	1,036	\$34,269,995
2007	8	1,031	\$33,876,183
2006	8	1,037	\$35,058,286
2005	8	1,046	\$34,640,328

## ***Order Processing Department***

The Order Processing Department produces orders as directed by the judges and processes them for mailing to the parties. In 2010, the average time for the department to prepare and process orders requested by the judges was five days.

## ***Records Department***

The Records Department maintains court files, processes the mail and responds to requests for records and information. In calendar year 2010, the Records Department maintained 183,263 case files from 2000 to present on premises. Court files from 1990 through 1999 are archived at the Department of Libraries.

**Section XV - Fiscal Year Expenditures**



## **Fiscal Year Expenditures: 7/1/09 - 6/30/10**

Personal Services (Salaries and Benefits, and Professional Services).....	\$5,818,000
Travel .....	\$89,000
Equipment .....	\$45,000
Other Operating Expenses.....	\$603,000
<hr/>	
TOTAL EXPENDITURES .....	\$6,555,000





## **Section XVI - Legislative Activity**



# Legislative Activity

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## IMPORTANT INFORMATION

**Disclaimer:** The purpose of this section is to provide a general overview of legislative activity during the 2nd Regular Session of the 52<sup>nd</sup> Oklahoma Legislature (2010) relevant to the workers' compensation system. It is for informational purposes only. It is not a statement of policy by the Oklahoma Workers' Compensation Court, is not binding on the Court in any way and should not be relied upon as the basis for any action. To see the full text of the enacted legislation, go to the "Enrolled Legislation" link on the "Executive Legislative" page on the Secretary of State's web site at: <http://www.sos.state.ok.us>.

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**HB 1611 - Effective 11/1/10.** Amends 36 O.S., §§608 and 6217.

Requires claims adjusters for insurers duly authorized to transact workers' compensation insurance in Oklahoma to be licensed under the Insurance Adjusters Licensing Act, and to complete 6 hours of continuing education relating to the Workers' Compensation Act as part of the required 24 hours of continuing education.

**HB 2517 - Effective 7/1/10.** Amends 85 O.S., §63.1.

Abolishes the Department of Labor's Workers' Compensation Enforcement Revolving Fund and provides that civil penalties assessed by the Commissioner of Labor against any employer that fails to secure its workers' compensation obligations shall be deposited to the Department of Labor Revolving Fund created in 40 O.S., §141.19.

**HB 2650 - Effective 8/27/10.** Amends 85 O.S., §§3, 11, 12, 14, 22, and 201.1.

- Amends the definition of: (1) **"employee"** to exclude individuals who are a party to a franchise agreement, (2) **"major cause"** to mean more than fifty percent (50%) of the resulting injury, disease or illness. A finding that the workplace was not a major cause of the injury shall not adversely affect exclusive remedy or create a separate cause of action outside of Title 85, Oklahoma Statutes; and (3) **"objective medical evidence"** to include objective findings which are those that cannot come under the voluntary control of the patient. Mentions tests and criteria pertaining to determinations of permanent impairment.
- Defines **"continuing medical maintenance," "surgery"** (excludes an injection, or the forcing of fluids beneath the skin, for treatment or diagnosis), **"evidence-based," "nationally recognized," "scientifically based," "peer review,"** and **"state-developed."**
- Restricts the compensability of injuries that occur to and from work.
- Excepts intentional torts from exclusive remedy. Identifies what constitutes an intentional tort.

Precludes an injured employee from maintaining an action in both the Workers' Compensation Court and another court, when the employer has failed to secure its workers' compensation obligations as required by law or in the case of an intentional tort.

- Modifies entitlement to temporary total disability. Specifies that if the treating physician releases a claimant to light duty work with written restrictions, the employer makes a good faith offer in writing to provide a light duty position at the claimant's same rate of pay, and the claimant rejects the light duty assignment, the claimant is not entitled to temporary total disability.
- Prohibits Court ordered continuing medical maintenance, unless recommended by the treating physician when the claimant reaches maximum medical improvement, or unless there is clear and convincing evidence to the contrary. Authorizes the Court to appoint an independent medical examiner at any time to determine the nature and extent of continuing medical maintenance.
- Limits the duration of permanent total disability benefits to 15 years or until the employee reaches the age of 100% Social Security retirement, whichever is longer. Provides that if the employee dies from causes unrelated to the work-related injury or illness, any person entitled to revive the action shall receive benefits only until the benefits would have terminated had the employee lived. Provides that if the Court awards both permanent partial and permanent total disability, the permanent total disability award shall not be due until after the permanent partial disability award is paid in full.
- Establishes a new compensation schedule for permanent partial disability for injuries occurring on or after August 27, 2010. The minimum weekly benefit payable for permanent partial disability is \$150. The maximum weekly benefit payable for permanent partial disability for injuries occurring on or after August 27, 2010 through August 26, 2015 is 70% of the employee's average weekly wage, not to exceed \$323. For injuries occurring on or after August 27, 2015, the maximum weekly benefit payable for permanent partial disability is 70% of the employee's average weekly wage, not to exceed 50% of the state's average weekly wage.
- Prohibits an award for permanent disfigurement for a part of the body for which permanent partial disability is awarded.
- Modifies compensation for soft tissue injuries. In case of a nonsurgical soft tissue injury in which the employer has promptly provided medical care, temporary total disability shall not exceed 8 weeks. A Court ordered extension of up to an additional 8 weeks is authorized if the treating physician recommends one or more injections. If the treating physician recommends surgery, the Court may order up to an additional 16 weeks of temporary total disability if the treating physician indicates the extension is appropriate or the parties agree. The Court shall terminate the extension benefits if surgery is not performed within 120 days of approval or authorization of the surgery by the respondent or Court, unless the delay is beyond the claimant's control. Provides that if surgery is performed, temporary total disability is subject to the limitations established in paragraph 2 of Section 22 of the Workers' Compensation Act. Expands exclusions from the definition of "soft tissue injury" to include all joint replacements.
- Makes the Physician Advisory Committee's findings and recommendations regarding reasonable and necessary medical treatment, duration of treatment, continuing medical maintenance, and development of a prescription formulary binding upon the Workers'

Compensation Court, unless there is clear and convincing evidence to the contrary. Court ordered medical care that deviates from the Committee's findings and recommendations must be supported by specific findings. Eliminates the Committee's duty to consider certain standards when developing treatment guidelines.

- Provides for uncodified language that creates the Task Force on Vocational Rehabilitation for Injured Workers until November 30, 2010, to study methods and procedures to improve vocational rehabilitation for injured workers. Requires a report of findings and recommendations to legislative leaders before termination of the Task Force. The full text of the Task Force's Final Report is available on the Oklahoma House of Representatives web site at <http://www.okhouse.gov/Documents/TaskForceVocRehabFinalReport.pdf>.

**HB 2652 - Effective 11/1/10.** Amends 85 O.S., §1.2.

Modifies the number, term, appointment process and assignment of Judges of the Workers' Compensation Court. Provides that the first two judicial vacancies occurring on or after November 1, 2010 will operate to reduce the number of judges comprising the Court from ten to eight. Directs that three judges be permanently assigned to the Court's Tulsa location and five be permanently assigned to the Court's Oklahoma City location. Prohibits closure of the Court's Tulsa location without legislative approval. Reduces the existing six year judicial term from July to February of the year of expiration of the term. Current incumbent judges who are not reappointed are presumed to have served a full six year term without reduction in salary, benefits or time for judicial service. Subsequent judicial terms shall be for eight years. Judges serving an unexpired term on November 1, 2010 are eligible upon expiration of their respective terms for appointment to one, eight year term. Judges may seek an additional eight year term after a three year waiting period. Judicial appointments are made by the Governor with the advice and consent of the Senate. Subjects incumbent judges to the Judicial Nominating Commission process. Requires the Court's judges to be licensed to practice law in Oklahoma for not less than five years and have not less than five years of workers' compensation experience prior to appointment.

**HB 2911 - Effective 5/10/10.** Amends 85 O.S., §42.

Prohibits creation of a new business entity for the purpose of avoiding payment of a workers' compensation judgment.

**HB 3169 - Effective 11/1/10.** Amends 85 O.S., §2.6.

Expands the exemption from the Workers' Compensation Act for an employer with five or less total employees, all of whom are related by blood or marriage, to include the spouse of the exempt employer.

**HJR 1056 - State Question No. 755, Legislative Referendum No. 355**

Submits to a vote of the people at the November 2, 2010 general election of the state a ballot measure to amend the Oklahoma Constitution to require courts of this state, including the

Workers' Compensation Court, to rely on federal and state laws when deciding cases and to forbid courts from looking at international law or Sharia Law when deciding cases.

**SB 1973 - Effective 11/1/10.** Amends 85 O.S., §§3.6, 3.9, 3.10, 93, 93.2, and 201.

- Requires all Workers' Compensation Court en banc proceedings to be recorded by a court reporter.
- Requires Court en banc orders that reverse a decision of the trial judge to contain specific findings explaining the reversal.
- Enumerates the grounds upon which an order or award of the Workers' Compensation Court may be modified, reversed for rehearing or set aside by the Supreme Court on appeal.
- Requires the Court Administrator to mail a certain notice to an injured worker upon the filing of an Employer's First Notice of Injury (Form 2), rather than upon the filing of a claim for compensation (Form 3) by the worker.
- Requires the claimant to be in attendance at the time of a mediation, unless all parties agree. Requires all parties to be represented during the entire mediation session by a person with full settlement authority. Permits the assigned trial judge to impose sanctions, costs and attorney fees, for good cause, against a party that does not have full settlement authority.
- Modifies fees payable to the Workers' Compensation Court's revolving fund, effective 11/1/10. Increases the Court en banc appeal fee from \$125 to \$175. Establishes a new \$100 fee per appeal to the Supreme Court for preparing, assembling, indexing and transmitting the record for appellate review. Increases the fee paid by the party against whom an award becomes final from \$75 to \$140. Increases the reopen fee from \$75 to \$130. Increases the application fee paid by group self-insureds, individual own risk employers and servicing companies for a permit from the Court Administrator to operate in Oklahoma from \$500 to \$1,000. Establishes a new self-insurance related fee that pertains to review by Workers' Compensation Court personnel of interim financial statements and/or loss runs submitted by a self-insured employer. The fee is \$500 per review, not to exceed \$1,000 per employer per fiscal year of the state. It is in addition to other fees.

**SB 2054 - Effective 11/1/10.** Amends 36 O.S., §924.4 and 40 O.S., §§600.4 and 600.5.

- Eliminates the Insurance Commissioner's duty to mail a form Affidavit of Exempt Status to requesters since posted on the Insurance Department's web site.
- Makes changes related to regulation of Professional Employer Organizations.

## **SJR 66**

Directs the Secretary of State to remove Enrolled HJR 1041 (2009) from the ballot at the November 2, 2010 general election of the state in view of enactment of HB 2652 (2010). HJR 1041 was a proposed legislative referendum for a vote by the people to require Senate approval of a person chosen by the Governor to fill a position on the Workers' Compensation Court. HB 2652 includes Senate confirmation of judicial appointments to the Workers' Compensation Court.

**Section XVII - Boards, Committees  
and Councils**





## **Boards, Committees and Councils**

### ***Individual Self-Insured Guaranty Fund Board 85 O.S., Section 66.1***

The Individual Self-Insured Guaranty Fund Board is composed of from three to nine members appointed by the Court Administrator. Each member represents an employer approved by the Administrator as an own-risk employer. The Board manages the Individual Self-Insured Guaranty Fund (Fund). The Fund is used to pay the workers' compensation obligations of an approved own-risk employer that is unable to pay a workers' compensation award. Deposits to the Fund are from a tax assessed against each own-risk employer at the rate of one percent (1%) of the total compensation for permanent partial disability awards paid by the employer. The tax is assessed until the Fund contains One Million Dollars (\$1,000,000). The tax was suspended by the Court Administrator effective April 2, 2007 and will be reinstated as provided by law when the Fund balance reaches Seven Hundred Fifty Thousand Dollars (\$750,000).

Individual Self-Insured Guaranty Fund Board members serving in 2010:

Joseph L. McCormick, IV, Chairman  
ONEOK  
Oklahoma City, Oklahoma

Tammy Steichen Minter  
Advance Food Company  
Enid, Oklahoma

Charlotte Smith  
St. Francis Hospital  
Tulsa, Oklahoma

### ***Group Self-Insurance Association Guaranty Fund Board 85 O.S., Section 66.2***

The Group Self-Insurance Association Guaranty Fund Board is composed of from three to nine members appointed by the Court Administrator. Each member is the administrator of a group self-insurance association approved by the Administrator to self-insure. The Board manages the Group Self-Insurance Association Guaranty Fund (Fund). The Fund is used to pay the workers' compensation obligations of an approved association that is unable to pay a workers' compensation award. Deposits to the Fund are from a tax assessed against each association at the rate of one percent (1%) of the total compensation for permanent partial disability awards paid by the association. The tax is assessed until the Fund contains One Million Dollars (\$1,000,000). The tax was suspended by the Court Administrator effective September 6, 1996 and will be reinstated as provided by law when the Fund balance reaches Seven Hundred Fifty Thousand Dollars (\$750,000).

Group Self-Insurance Association Guaranty Fund Board members serving in 2010:

Cindy Compton  
Harrah, Oklahoma

Chris Sturm  
Oklahoma City, Oklahoma

Chris Meyer  
Oklahoma City, Oklahoma  
*Replacing Larry Watkins*

Larry Watkins  
Oklahoma City, Oklahoma

Jim Smelser  
Oklahoma City, Oklahoma

### ***Physician Advisory Committee 85 O.S., Section 201.1***

The Physician Advisory Committee was created by the Legislature in 1993 to assist the Court and Court Administrator by providing information on various medical related matters, including utilization review, abusive practices by health care providers, methods for evaluating permanent impairment, treatment guidelines and utilization controls. The committee is composed of nine members, with three members each appointed by the Governor, President Pro-Tempore of the Senate, and Speaker of the House of Representatives. The appointments are from designated medical specialties and congressional districts. The committee is assisted by court staff. The committee met five times and held two public hearings during calendar year 2010. Annual reports of the committee are available from the Court.

Physician Advisory Committee members serving in 2010:

Leroy E. Young, D.O., Chairman  
Oklahoma City, Oklahoma

William R. Gillock, D.O.  
Tulsa, Oklahoma

Robert L. Remondino, M.D., Vice Chair  
Oklahoma City, Oklahoma

Duane G. Koehler, D.O.  
Miami, Oklahoma

Reed Burk, D.P.M.  
Ponca City, Oklahoma

Scott A. Mitchell, D.O.  
Oklahoma City, Oklahoma

Jeff A. Fox, M.D.  
Tulsa, Oklahoma

John L. Munneke, M.D.  
Oklahoma City, Oklahoma

David Garrett, D.P.M.  
Miami, Oklahoma

C. Keith Muse, D.C.  
Oklahoma City, Oklahoma

*Replacing Reed Burk*

## **Advisory Council on Workers' Compensation 85 O.S., Section 112**

The Advisory Council on Workers' Compensation was created by the Legislature in 1990 to analyze and review the workers' compensation system, reports of the Court Administrator, and workers' compensation trends. The Council may recommend improvements and proper responses to developing trends, and consult with the Court on oversight of independent medical examiners.

The Council is composed of nine members, with three members each appointed by the Governor, President Pro-Tempore of the Senate, and Speaker of the House of Representatives. The Court's Presiding Judge and Administrator serve as ex-officio nonvoting members. The Governor's appointees represent employers, one of whom must be from a list of nominees provided by the predominant statewide broad-based business organization. The President Pro Tempore's appointees are attorneys representing the legal profession in this state, one of whom practices primarily in the area of defense of workers' compensation claims. The Speaker's appointees represent employees, one of whom shall be from a list of nominees provided by the most representative labor organization in the state. The Council is assisted by Workers' Compensation Court staff and met four times during calendar year 2010.

Advisory Council on Workers' Compensation members serving in 2010:

Blake Virgin, Chairman  
Norman, Oklahoma  
Governor

Howard Klubeck  
Oklahoma City, Oklahoma  
Governor

Jim Curry, Vice Chairman  
Oklahoma City, Oklahoma  
Speaker of the House

Dave Koeneke  
Oklahoma City, Oklahoma  
Speaker of the House

Michael Carter  
Norman, Oklahoma  
President Pro Tempore of the Senate

Dan Simmons  
Oklahoma City, Oklahoma  
Governor

T. Shane Curtin  
Oklahoma City, Oklahoma  
President Pro Tempore of the Senate

David Stockwell  
Norman, Oklahoma  
Governor  
*Replacing Howard Klubeck*

Ellen C. Edwards  
Tulsa, Oklahoma  
President Pro Tempore of the Senate

Sterling Zearley  
Oklahoma City, Oklahoma  
Speaker of the House

Kent Eldridge, Presiding Judge  
Ex-officio Nonvoting Member

Marcia Davis, Court Administrator  
Ex-officio Nonvoting Member



**Section XVIII - Miscellaneous**



## History of Judicial Appointments Oklahoma Workers' Compensation Court

Year	Judge's Name	Position	Duration of Term <sup>1</sup>	Governor Appointing
1955	Marx Childers	Chairman	See 85 O.S. Supp. 1955, §69.1	J. Murray
	D.H. Cotten	Judge		J. Murray
	Hubert Hargrave	Judge		J. Murray
	Mildred Brooks Fitch	Judge		J. Murray
	Jess B. Harper	Judge		J. Murray
1956	Same as 1955			
1957	Marx Childers	Chairman	See 85 O.S. Supp. 1955, §69.1	
	D.H. Cotten	Judge		
	Hubert Hargrave	Judge		
	Mildred Brooks Fitch	Judge		
	Jean R. Reed	Judge		
1958	Same as 1957			
1959	Marx Childers	Chairman	See 85 O.S. Supp. 1955, §69.1	
	D.H. Cotten	Judge		
	Hubert Hargrave	Judge		
	Mildred Brooks Fitch	Judge		
	Jean R. Reed	Judge		
1960	Harley Venters	Presiding Judge	1960 - 1961	Edmondson
	Marx Childers	Judge		
	D.H. Cotten	Judge		
	Jean R. Reed	Judge		
	Hubert Hargrave	Judge		
1961	Clint G. Livingston	Presiding Judge	1961 - 1962	Edmondson
	Jean R. Reed	Judge	1961 - 1963	Edmondson
	Toby Morris	Judge		
	J. Clark Russell	Judge		
	Silas C. Wolf	Judge		
1962	Jim Ed Douglas	Presiding Judge	1962 - 1963	Edmondson
	Jean R. Reed	Judge		
	Toby Morris	Judge		
	J. Clark Russell	Judge		
	Silas C. Wolf	Judge		

## History of Judicial Appointments Oklahoma Workers' Compensation Court

Year	Judge's Name	Position	Duration of Term <sup>1</sup>	Governor Appointing
1963	Harry V. Rouse	Presiding Judge	1963 - 1965	Bellmon
	J. Clark Russell	Judge		
	Silas C. Wolf	Judge		
	A. R. Swank, Jr.	Judge	1963 - 1969	
1963	Keith Cooper	Judge	1963 - 1967	Bellmon
				Bellmon
1964	Same as 1963			
1965	A. R. Swank, Jr.	Presiding Judge	1965 - 1971	Bellmon - reappointment
	J. Clark Russell	Judge		
	Silas C. Wolf	Judge		
	Keith Cooper	Judge		
	A.L.Voth	Judge	1965 - 1971	
1966	Same as 1965			
1967	A. R. Swank, Jr.	Presiding Judge	1967 - 1973	Bartlett - reappointment
	Silas C. Wolf	Judge		
	Keith Cooper	Judge		
	A.L. Voth	Judge		
	Bruce Evans	Judge	1967 - 1973	
1968	Same as 1967			
1969	A. R. Swank, Jr.	Presiding Judge	1969 - 1975	Bartlett - reappointment
	Silas C. Wolf	Judge		
	Keith Cooper	Judge		
	A.L. Voth	Judge		
	Bruce Evans	Judge		
1970	Same as 1969			
1971	Silas C. Wolf	Presiding Judge	1971 - 1977	Hall - reappointment
	A. R. Swank, Jr.	Judge	1971 - 1977	Hall - reappointment
	Keith Cooper	Judge		
	A.L. Voth	Judge		
Bruce Evans	Judge			
1972	Same as 1971			
1973	Silas C. Wolf	Presiding Judge	1973 - 1979	Hall
	A. R. Swank, Jr.	Judge		
	A. L. Voth	Judge		
	Yvonne Sparger	Judge		
	Thomas Gudgel, Jr.	Judge		



## History of Judicial Appointments Oklahoma Workers' Compensation Court

Year	Judge's Name	Position	Duration of Term <sup>1</sup>	Governor Appointing
1974	Same as 1973			
1975	Silas C. Wolf A. L. Voth Yvonne Sparger Thomas Gudgel, Jr. James Fullerton	Presiding Judge Judge Judge Judge Judge	1975 - 1981	Boren
1976	Same as 1975			
1977	Marian P. Opala Yvonne Sparger James Fullerton Charles L. Cashion Chris Sturm	Presiding Judge Judge Judge Judge Judge	1977 - 1983   1977 - 1978 1977 - 1980	Boren   Boren Boren
1978	Chris Sturm Marian P. Opala Charles L. Cashion Mary E. Cox Patrick C. Ryan James Fullerton Yvonne Sparger	Presiding Judge (6) Position 1 Position 2 Position 3 Position 4 Position 5 Position 7	1978 - 1984   1978 - 1984 1978 - 1982	Boren - reappointment Boren Boren
1979	Patrick C. Ryan Marian P. Opala Bill V. Cross Charles L. Cashion Mary E. Cox James Fullerton Chris Sturm Dick Lynn	Presiding Judge (4) Position 1 Position 1 Position 2 Position 3 Position 5 Position 6 Position 7	1979 - 1984      1979 - 1980	Nigh      Nigh
1980	Patrick C. Ryan Bill V. Cross Charles L. Cashion Mary E. Cox James Fullerton Chris Sturm Dick Lynn	Presiding Judge (4) Position 1 Position 2 Position 3 Position 5 Position 6 Position 7	1980 - 1986     1980 - 1986	Nigh - reappointment Nigh - reappointment

## History of Judicial Appointments Oklahoma Workers' Compensation Court

Year	Judge's Name	Position	Duration of Term <sup>1</sup>	Governor Appointing
1981	Patrick C. Ryan	Presiding Judge (4)		
	Bill V. Cross	Position 1		
	Charles L. Cashion	Position 2		
	Mary E. Cox	Position 3		
	James Fullerton	Position 5		
	Larry Brawner	Position 5	1981 - 1982	Nigh
	Chris Sturm	Position 6		
	Victor R. Seagle	Position 6	1981 - 1986	Nigh
	Dick Lynn	Position 7		
1982	Patrick C. Ryan	Presiding Judge (4)	1982 - 1988	Nigh - reappointment
	Bill V. Cross	Position 1		
	Charles L. Cashion	Position 2		
	Mary E. Cox	Position 3		
	Larry Brawner	Position 5		
	G. Dan Rambo	Position 5	1982 - 1984	Nigh
	Victor R. Seagle	Position 6		
	Dick Lynn	Position 7		
Clint G. Livingston	Position 8	1982 - 1988	Nigh	
1983	Patrick C. Ryan	Presiding Judge (4)		
	Bill V. Cross	Position 1		
	Charles L. Cashion	Position 2		
	Mary E. Cox	Position 3		
	G. Dan Rambo	Position 5		
	Victor R. Seagle	Position 6		
	Dick Lynn	Position 7		
	Clint G. Livingston	Position 8		
1984	Charles L. Cashion	Presiding Judge (2)	1984 - 1990	Nigh - reappointment
	Bill V. Cross	Position 1	1984 - 1990	Nigh - reappointment
	Mary E. Cox	Position 3		
	Gary Sleeper	Position 3	1984 - 1988	Nigh
	Patrick C. Ryan	Position 4		
	G. Dan Rambo	Position 5		
	Jacque J. Brawner	Position 5	1984 - 1988	Nigh
	Victor R. Seagle	Position 6		
	Dick Lynn	Position 7		
Clint G. Livingston	Position 8			
1985	Charles L. Cashion	Presiding Judge (2)		
	Bill V. Cross	Position 1		
	Gary Sleeper	Position 3		
	Patrick C. Ryan	Position 4		
	Patricia Demps	Position 4	1985 - 1986	Nigh
	Jacque J. Brawner	Position 5		
	Victor R. Seagle	Position 6		
	Dick Lynn	Position 7		
	Clint G. Livingston	Position 8		
Kay K. Kennedy	Position 9	1985 - 1988	Nigh	

## History of Judicial Appointments Oklahoma Workers' Compensation Court

Year	Judge's Name	Position	Duration of Term <sup>1</sup>	Governor Appointing
1986	Charles L. Cashion	Presiding Judge (2)		
	Bill V. Cross	Position 1		
	Gary Sleeper	Position 3		
	Patricia Demps	Position 4		
	J. Michael Mancillas	Position 4	1986 - 1988	Nigh
	Jacque J. Brawner	Position 5		
	Victor R. Seagle	Position 6	1986 - 1992	Nigh - reappointment
	Dick Lynn	Position 7	1986 - 1992	Nigh - reappointment
	Clint G. Livingston	Position 8		
Kay K. Kennedy	Position 9			
1987	Charles L. Cashion	Presiding Judge (2)		
	Bill V. Cross	Position 1		
	Gary Sleeper	Position 3		
	J. Michael Mancillas	Position 4		
	Jacque J. Brawner	Position 5		
	Victor R. Seagle	Position 6		
	Dick Lynn	Position 7		
	Clint G. Livingston	Position 8		
Kay K. Kennedy	Position 9			
1988	Charles L. Cashion	Presiding Judge (2)		
	Bill V. Cross	Position 1		
	Gary Sleeper	Position 3		
	Sam Townley	Position 3	1988 - 1990	Bellmon
	J. Michael Mancillas	Position 4		
	Ben P. Choate, Jr.	Position 4	1988 - 1994	Bellmon
	Jacque J. Brawner	Position 5		
	Jerry L. Salyer	Position 5	1988 - 1994	Bellmon
	Victor R. Seagle	Position 6		
	Dick Lynn	Position 7		
	Clint G. Livingston	Position 8		
	Noma D. Gurich	Position 8	1988 - 1994	Bellmon
Kay K. Kennedy	Position 9			
Ozella M. Willis	Position 9	1988 - 1994	Bellmon	
1989	Noma D. Gurich	Presiding Judge (8)		
	Bill V. Cross	Position 1		
	Charles L. Cashion	Position 2		
	Louis G. Buchanan	Position 2	1989 - 1990	Bellmon
	Sam Townley	Position 3		
	Ben P. Choate, Jr.	Position 4		
	Jerry L. Salyer	Position 5		
	Victor R. Seagle	Position 6		
	Dick Lynn	Position 7		
Ozella M. Willis	Position 9			

## History of Judicial Appointments Oklahoma Workers' Compensation Court

Year	Judge's Name	Position	Duration of Term <sup>1</sup>	Governor Appointing
1990	Noma D. Gurich	Presiding Judge (8)		
	Bill V. Cross	Position 1		
	Kimberly E. West	Position 1	1990 - 1996	Bellmon
	Louis G. Buchanan	Position 2	1990 - 1996	Bellmon - reappointment
	Sam Townley	Position 3		
	Terry A. Pendell	Position 3	1990 - 1996	Bellmon
	Ben P. Choate, Jr.	Position 4		
	Jerry L. Salyer	Position 5		
	Victor R. Seagle	Position 6		
	Dick Lynn	Position 7		
Ozella M. Willis	Position 9			
1991	Noma D. Gurich	Presiding Judge (8)		
	Kimberly E. West	Position 1		
	Louis G. Buchanan	Position 2		
	Terry A. Pendell	Position 3		
	Ben P. Choate, Jr.	Position 4		
	Jerry L. Salyer	Position 5		
	Victor R. Seagle	Position 6		
	James S. Porter	Position 6	1991 - 1992	Walters
	Dick Lynn	Position 7		
	Ozella M. Willis	Position 9		
1992	Noma D. Gurich	Presiding Judge (8)		
	Kimberly E. West	Position 1		
	Louis G. Buchanan	Position 2		
	Terry A. Pendell	Position 3		
	Ben P. Choate, Jr.	Position 4		
	Jerry L. Salyer	Position 5		
	Victor R. Seagle	Position 6		
	James S. Porter	Position 6	1992 - 1998	Walters - reappointment
	Dick Lynn	Position 7	1992 - 1998	Walters - reappointment
	Ozella M. Willis	Position 9		
1993	Jerry L. Salyer	Presiding Judge (5)		
	Kimberly E. West	Position 1		
	Louis G. Buchanan	Position 2		
	Terry A. Pendell	Position 3		
	Ben P. Choate, Jr.	Position 4		
	James S. Porter	Position 6		
	Dick Lynn	Position 7		
	Noma D. Gurich	Position 8		
	Ozella M. Willis	Position 9		

## History of Judicial Appointments Oklahoma Workers' Compensation Court

Year	Judge's Name	Position	Duration of Term <sup>1</sup>	Governor Appointing
1994	Jerry L. Salyer	Presiding Judge (5)	1994 - 2000	Walters - reappointment
	Kimberly E. West	Position 1		
	Louis G. Buchanan	Position 2		
	Terry A. Pendell	Position 3		
	Ben P. Choate, Jr.	Position 4		
	Susan Witt Conyers	Position 4	1994 - 2000	Walters
	James S. Porter	Position 6		
	Dick Lynn	Position 7		
	Noma D. Gurich	Position 8	1994 - 2000	Walters - reappointment
	Ozella M. Willis	Position 9	1994 - 2000	Walters - reappointment
Mary A. Black	Position 10	1994 - 1996	Walters	
1995	Susan Witt Conyers	Presiding Judge (4)		
	Kimberly E. West	Position 1		
	Louis G. Buchanan	Position 2		
	Terry A. Pendell	Position 3		
	Jerry L. Salyer	Position 5		
	James S. Porter	Position 6		
	Dick Lynn	Position 7		
	Noma D. Gurich	Position 8		
	Ozella M. Willis	Position 9		
Mary A. Black	Position 10			
1996	Susan Witt Conyers	Presiding Judge (4)		
	Kimberly E. West	Position 1		
	Ellen C. Edwards	Position 1	1996 - 2002	Keating
	Louis G. Buchanan	Position 2		
	Richard L. Blanchard	Position 2	1996 - 2002	Keating
	Terry A. Pendell	Position 3		
	Richard G. Mason	Position 3	1996 - 2002	Keating
	Jerry L. Salyer	Position 5		
	James S. Porter	Position 6		
	Dick Lynn	Position 7		
	Jim D. Filosa	Position 7	1996 - 1998	Keating
	Noma D. Gurich	Position 8		
	Ozella M. Willis	Position 9		
	Mary A. Black	Position 10		
Kenton W. Fulton	Position 10	1996 - 2002	Keating	

## History of Judicial Appointments Oklahoma Workers' Compensation Court

Year	Judge's Name	Position	Duration of Term <sup>1</sup>	Governor Appointing
1997	Richard G. Mason	Presiding Judge (3)		
	Ellen C. Edwards	Position 1		
	Richard L. Blanchard	Position 2		
	Susan Witt Conyers	Position 4		
	Jerry L. Salyer	Position 5		
	James S. Porter	Position 6		
	Jim D. Filosa	Position 7		
	Noma D. Gurich	Position 8		
	Ozella M. Willis	Position 9		
	Kenton W. Fulton	Position 10		
1998	Richard G. Mason	Presiding Judge (3)		
	Ellen C. Edwards	Position 1		
	Richard L. Blanchard	Position 2		
	Susan Witt Conyers	Position 4		
	Jerry L. Salyer	Position 5		
	James S. Porter	Position 6		
	D. Craig Johnston	Position 6	1998 - 2004	Keating
	Jim D. Filosa	Position 7	1998 - 2004	Keating - reappointment
	Noma D. Gurich	Position 8		
	Gene Prigmore	Position 8	1998 - 2000	Keating
	Ozella M. Willis	Position 9		
Kenton W. Fulton	Position 10			
1999	Kenton W. Fulton	Presiding Judge (10)		
	Ellen C. Edwards	Position 1		
	Richard L. Blanchard	Position 2		
	Richard G. Mason	Position 3		
	Susan Witt Conyers	Position 4		
	Jerry L. Salyer	Position 5		
	D. Craig Johnston	Position 6		
	Jim D. Filosa	Position 7		
	Gene Prigmore	Position 8		
	Ozella M. Willis	Position 9		
2000	Kenton W. Fulton	Presiding Judge (10)		
	Ellen C. Edwards	Position 1		
	Richard L. Blanchard	Position 2		
	Richard G. Mason	Position 3		
	Susan Witt Conyers	Position 4	2000 - 2006	Keating - reappointment
	Jerry L. Salyer	Position 5	2000 - 2006	Keating - reappointment
	D. Craig Johnston	Position 6		
	Jim D. Filosa	Position 7		
	Gene Prigmore	Position 8	2000 - 2006	Keating - reappointment
	Ozella M. Willis	Position 9		
Cherri Farrar	Position 9	2000 - 2006	Keating	

## History of Judicial Appointments Oklahoma Workers' Compensation Court

Year	Judge's Name	Position	Duration of Term <sup>1</sup>	Governor Appointing
2001	Kenton W. Fulton	Presiding Judge (10)		
	Ellen C. Edwards	Position 1		
	Richard L. Blanchard	Position 2		
	Richard G. Mason	Position 3		
	Susan Witt Conyers	Position 4		
	Jerry L. Salyer	Position 5		
	D. Craig Johnston	Position 6		
	Jim D. Filosa	Position 7		
	Gene Prigmore	Position 8		
	Cherri Farrar	Position 9		
2002	Kenton W. Fulton	Presiding Judge (10)	2002 - 2008	Keating - reappointment
	Ellen C. Edwards	Position 1	2002 - 2008	Keating - reappointment
	Richard L. Blanchard	Position 2	2002 - 2008	Keating - reappointment
	Richard G. Mason	Position 3	2002 - 2008	Keating - reappointment
	Susan Witt Conyers	Position 4		
	Jerry L. Salyer	Position 5		
	D. Craig Johnston	Position 6		
	Jim D. Filosa	Position 7		
	Gene Prigmore	Position 8		
	Cherri Farrar	Position 9		
2003	Richard L. Blanchard	Presiding Judge (2)		
	Ellen C. Edwards	Position 1		
	Richard G. Mason	Position 3		
	Susan Witt Conyers	Position 4		
	Jerry L. Salyer	Position 5		
	D. Craig Johnston	Position 6		
	Jim D. Filosa	Position 7		
	Gene Prigmore	Position 8		
	Cherri Farrar	Position 9		
	Kenton W. Fulton	Position 10		
2004	Richard L. Blanchard	Presiding Judge (2)		
	Ellen C. Edwards	Position 1		
	Richard G. Mason	Position 3		
	Susan Witt Conyers	Position 4		
	Jerry L. Salyer	Position 5		
	D. Craig Johnston	Position 6		
	Mary A. Black	Position 6	2004 - 2010	Henry
	Jim D. Filosa	Position 7		
	Tom Leonard	Position 7	2004 - 2010	Henry
	Gene Prigmore	Position 8		
	Cherri Farrar	Position 9		
	Kenton W. Fulton	Position 10		

## History of Judicial Appointments Oklahoma Workers' Compensation Court

Year	Judge's Name	Position	Duration of Term <sup>1</sup>	Governor Appointing
2005	Gene Prigmore	Presiding Judge (8)		
	Ellen C. Edwards	Position 1		
	Richard L. Blanchard	Position 2		
	Richard G. Mason	Position 3		
	Susan Witt Conyers	Position 4		
	Jerry L. Salyer	Position 5		
	Mary A. Black	Position 6		
	Tom Leonard	Position 7		
	Cherri Farrar	Position 9		
	Kenton W. Fulton	Position 10		
2006	Gene Prigmore	Presiding Judge (8)	2006 - 2012	Henry - reappointment
	Ellen C. Edwards	Position 1		
	Richard L. Blanchard	Position 2		
	Richard G. Mason	Position 3		
	Michael J. Harkey	Position 3	2006 - 2008	Henry
	Susan Witt Conyers	Position 4		
	Kent Eldridge	Position 4	2006 - 2012	Henry
	Jerry L. Salyer	Position 5		
	John M. McCormick	Position 5	2006 - 2012	Henry
	Mary A. Black	Position 6		
Tom Leonard	Position 7			
Cherri Farrar	Position 9	2006 - 2012	Henry - reappointment	
Kenton W. Fulton	Position 10			
2007	Mary A. Black	Presiding Judge (6)		
	Ellen C. Edwards	Position 1		
	Richard L. Blanchard	Position 2		
	Michael J. Harkey	Position 3		
	Kent Eldridge	Position 4		
	John M. McCormick	Position 5		
	Tom Leonard	Position 7		
	Gene Prigmore	Position 8		
	Cherri Farrar	Position 9		
	Kenton W. Fulton	Position 10		



## History of Judicial Appointments Oklahoma Workers' Compensation Court

Year	Judge's Name	Position	Duration of Term <sup>1</sup>	Governor Appointing
2008	Mary A. Black	Presiding Judge (6)		
	Ellen C. Edwards	Position 1		
	Bob Lake Grove	Position 1	2008 - 2014	Henry
	Richard L. Blanchard	Position 2		
	William R. Foster, Jr.	Position 2	2008 - 2014	Henry
	Michael J. Harkey	Position 3	2008 - 2014	Henry - reappointment
	Kent Eldridge	Position 4		
	John M. McCormick	Position 5		
	Tom Leonard	Position 7		
	Gene Prigmore	Position 8		
	Cherri Farrar	Position 9		
	Kenton W. Fulton	Position 10		
Eric W. Quandt	Position 10	2008 - 2014	Henry	
2009	Kent Eldridge	Presiding Judge (4)		
	Bob Lake Grove	Position 1		
	William R. Foster, Jr.	Position 2		
	Michael J. Harkey	Position 3		
	John M. McCormick	Position 5		
	Mary A. Black	Position 6		
	Tom Leonard	Position 7		
	Gene Prigmore	Position 8		
	Cherri Farrar	Position 9		
	Eric W. Quandt	Position 10		
2010	Kent Eldridge	Presiding Judge (4)		
	Bob Lake Grove	Position 1		
	William R. Foster, Jr.	Position 2		
	Michael J. Harkey	Position 3		
	John M. McCormick	Position 5		
	Mary A. Black	Position 6		
	David P. Reid	Position 6	2010 - 2016	Henry
	Tom Leonard	Position 7		
	Owen T. Evans	Position 7	2010 - 2016	Henry
	Gene Prigmore	Position 8		
	Cherri Farrar	Position 9		
	Eric W. Quandt	Position 10		

<sup>1</sup> Duration of term reflects the length of appointment and may not coincide with the actual term of employment with the Court.

# Workers' Compensation Court

<http://www.owcc.state.ok.us>

## Contact Information

### Oklahoma City Location

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### Tulsa Location

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Main Desk ..... 918-581-2714

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### Administrative Office

Michael Clingman, Court Administrator ..... 405-522-8600

### Counselor Department

Mike Sykes, Supervisor ..... 405-522-8760

In-State Toll Free ..... 800-522-8210

### Data Processing/Management Information Services Department

Christopher Herndon, Statistician ..... 405-522-8600

### Docket Office

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### Form 3 Processing Department

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# NOTES

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